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PUBLIC WORKS IN MEDIAEVAL
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VOL. I.

EDITED
FOR THE SELDEN SOCIETY

BY

C. T. FLOWER, M.A.

OF H.M. PUBLIC RECORD OFFICE AND THE INNER TEMPLE, BARRISTER-AT-LAW

Vol. 32

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VOL. 1

FOR THE MEDICAL SOCIETY

H. T. HARRIS, D.D.

NEW YORK: MEDICAL SOCIETY
1880

Medical Society

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1880

THE

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VOLUME XXXII

FOR THE YEAR 1915

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INTRODUCTION

I HAVE to begin this brief Introduction with a word of explanation, even of apology. When I undertook to edit this collection, the piping times of peace still prevailed ; I had an adequate amount of leisure and ready access to a good library. I was able to bring the text almost to completion in manuscript under these conditions. But the volume has passed through the press and the Index and Introduction have been prepared in very different circumstances. My duties have lain first at the War Office and then in the Royal Garrison Artillery, and I have had only an occasional half hour at the end of a long day that I could devote to this work, and that without a chance of access to a good library. Consequently this Introduction is very brief and is in no respect what I had at first intended it to be. I have had to confine myself largely to material which I had already collected or which lay conveniently to hand : and the following pages contain little beyond a description of the materials used, a few general remarks on the public works included in these volumes, and an attempt to explain the marked limits of time and space which the entries as a whole exhibit.

It is hoped in the Introduction to Volume II. to deal at length with the nature and form of the various processes and to give a connected and comprehensive account of the points of legal and general interest which arise out of the text from time to time.

Some years ago Mr. Paley Baildon, F.S.A., prepared a report for the Selden Society on the class of records called Ancient Indictments, of which the present volume is the outcome. He was forced to the conclusion that as a whole it did not offer a fertile field for research, but that at the same time it did include a number of documents of various kinds which although proportionately few in number were worthy of special study. He particularly mentioned indictments for non-maintenance of local public works, and my first task was to extract these from the larger collection.

The course of my work was however materially altered by a most fruitful suggestion made by my colleague, Mr. R. C. Fowler, who pointed out that in the valuable collection of repertories at the Record Office known as Agarde's Indexes there were three volumes which contained in an easily accessible form references to similar cases enrolled on the Coram Rege Rolls. Not only were the entries thus calendared found on examination to be more numerous and more complete than those in the Ancient Indictments, but the dates covered by them afforded convenient limits to the present collection, which like them is confined to the reigns of Edward III. and Richard II. and more particularly to the latter half of the fourteenth century, as entries relating to the earlier years of the former reign are not numerous.

When the time came to print the material collected from these two sources, it was found that there was sufficient to fill two volumes. Owing to the paramount local character of the entries a topographical arrangement in the alphabetical order of counties was adopted and it was decided to conclude the present volume with Lincolnshire and to reserve Middlesex and subsequent counties for a second volume.

The record sources are therefore two in number, Ancient Indictments and Coram Rege Rolls; Agarde's Indexes are neither records nor in the strict sense of the word sources; but they have been as essential to the present volume as machine tools are to the modern engineer, who could make but little of the metals, which are his raw material, without their aid.

The series in which the documents in the Public Record Office have been classified may from one point of view be regarded as of two kinds: those which have their origin in the very nature of the records themselves, and those which have been formed merely for convenience of reference or for the advantage of the searcher. Any attempt to disturb the former would be impious vandalism: apart from considerations of convenience there is no reason why several of the latter series should not be broken up and rearranged under a different system of classification.

The rolls of the courts of law are an instance of the former. The stately procession of the De Banco rolls from the thirteenth to the nineteenth century can never be violated though laggards may be from time to time restored to their place and intruders removed. Even in the last hundred years of their existence, when the abolition of payment to clerks making enrolments caused them to shrink and pass

into decrepitude, the homogeneity of the class remained, though the cover often contained not more than two or three entries. The Close Rolls of chancery are another striking example: originating as a roll of royal out-letters, the custom arose of enrolling private deeds on their dorse for safe custody, and in the course of a few centuries caused them to change their character to such an extent that they eventually became solely a registry of deeds, and in modern times the information that substantially corresponds to the entries on early Close Rolls must be sought in the letter-books of the various Government departments. Yet with this vast change in their contents the class as a class preserves its continuity from the reign of John to the reign of Edward VII., from the first roll to the last, whose number is well over 20,000. The War Office Musters are another instance of a class which is *sui generis* and only admits of internal rearrangement.

There are, on the other hand, a number of artificial series which have no canonical sanction. Ministers' Accounts, Court Rolls, Rentals and Surveys all owe their arrangement to modern times. The classification runs athwart the courts of law to which the records originally belonged; it takes no regard of the repositories in which until recent time they were stored, and its merit is solely convenience. Although nothing might be gained, there would be nothing intrinsically abhorrent if they were all united in one large class and re-arranged locally.

Ancient Indictments is on the border line between these two classes. There can be no doubt that in the main it is a natural and not an artificial class. The majority of the files of which it is composed are really homogeneous in character though diverse in form and in appearance. The series is, however, in the first place, so imperfect that the preservation of the documents must have been to a certain extent casual. There are, for instance, some very complete files for Lincolnshire, which correspond fairly accurately with the Coram Rege Rolls for the terms to which they belong. The court was, however, sitting at Lincoln at the time, and their preservation may be due to the fact that they thus passed at once into proper custody. The circumstances of certain files for York and some other counties are in all respects similar.

In the second place there are in this as in other large collections of loose records a number of documents which are either entirely heterogeneous in character or are on the border line between two classes of records. There must be some class, elastic and catholic in character, which will contain such records as obviously do not belong to any of the classes with more distinct characteristics. In the case of the

courts of law and of chancery, and in other cases where a regular system of enrolment or registration obtained, the greater part of such a class would consist of original documents which have been either transcribed as they stand or have given the material for enrolments or other formal records. It would be a long time before it would be thought worth while to classify such a collection carefully; but it would eventually be found useful to have it ready for verification of dubious entries in the rolls. Such is, in the main, the function of Exchequer Proceedings in the Court of the King's Remembrancer, of Chancery Files in the Court of Chancery, and of Ancient Indictments on the Crown side of the Court of King's Bench.

The last of these classes has received some attention in recent years. The late Mr. L. W. Vernon Harcourt¹ made quite clear a connection which was probably subconsciously realised by many who had worked on these records, when he shewed that the *Baga de Secretis* and the Ancient Indictments were essentially one and the same. It is easy to assign a reason for their separation. The general arrangement of these records was at first by counties; we have a reference in the present volume to the 'bag of Essex,'² and in the *Coram Rege* Rolls themselves it will be found that entries are grouped under counties, so that it would in fact appear that the enrolment clerks took one county bag after another and enrolled its accruing contents. But just as in a modern Government office special regulations have to be made for the transit, custody and discussion of papers which are secret in character, it was still more desirable in the fifteenth century, when the ship of state was pursuing a troubled voyage, that the documents relative to the greater rebels should be kept under special custody.

By far the most careful analysis of these records that has yet been made is that of Miss Putnam.³ She has proved her main point up to the hilt, and has shewn quite clearly that certain files of the Ancient Indictments and certain documents classed as *Assize Rolls* are similar in character and bear a similar relation to the *Coram Rege* Rolls, in which the entries they contain are enrolled. In the course of the paper, however, she propounds two rather pontifical monitions which I propose to neglect. She deprecates the establishment of an hypothesis until there has been an exhaustive analysis of the whole of these two series and until a careful study has been made of the history of the keeping of the records. No doubt the deeper the research, the greater the confidence with which a theory can be propounded.

¹ *English Historical Review*, xxiii. 508-29. ² P. 84.

³ *English Historical Review*, xxix. 479-505.

At the same time a working hypothesis is better than nothing and is at any rate a springboard from which to dive into more profound mysteries.

I am strongly of the opinion that Ancient Indictments at one time included those Assize Rolls which are analogous to them. The collection could very properly be described as Miscellanea of the King's Bench or King's Bench Files. Original precepts and writs, returns to writs and transcripts of original records of proceedings before subordinate courts would be included in this class and would form the basis on which the Rex portion of the Coram Rege Roll would be built up. Such a collection is inevitably amorphous in appearance; under careless custody documents are removed and not properly replaced; and the careful custodian has a particularly strong temptation to rearrange a class of this kind on a systematic basis and also to weed out documents which appear to belong to other classes. Many of the returns to writs, transcripts and original records of lower jurisdictions are in form and matter very similar to Assize Rolls and Gaol Delivery Rolls; and in consequence rolls of the latter classes were sometimes improperly placed among Ancient Indictments. In such circumstances it is probable that documents with a superficial resemblance to continuous roll would be retained among Ancient Indictments if they were parts of a larger file containing other matter, but under sortation would be particularly liable to be transferred to such a class as Assize Rolls, which, owing to the variety of commissions under which eyres and assizes were taken, is in itself not entirely homogeneous. In brief, I put forward the following working hypothesis. There was an ancient and original class which can be described as 'King's Bench Files (Crown side)' and which bears a close relation to the Rex portion of the Coram Rege Rolls: ~~there was~~ another class, Assize Rolls, which should properly contain only the original records of justices on eyre and justices of assize; but owing to the former class having at some time been re-arranged without the complete knowledge (which is still lacking) of the history of the King's Bench, there have been transfers from the former to the latter class, which Miss Putnam's searching investigation proves to have been unjustified.

It is also difficult to subscribe to Miss Putnam's pious hope that there will be no further investigation of Ancient Indictments for special subjects until there has been an examination of the whole series with a view to a precise understanding of their nature and place in the legal system and a solution of some of the vital problems as to the relation of the central and local Courts. This seems to me (in the classical sense of the word)

preposterous. There is at the present time a very proper insistence on 'provenance'; but it can be pushed too far. Records are merely a means to establish historical facts. The more completely their own life-story and pedigree is studied and understood, the more thorough is the groundwork they afford for the superstructure of political and administrative history. Economic and social history is, however, very little affected by considerations as to the internal relations of documents. I can see no justification for closing a series of records merely because certain points in their history are still obscure: and I have not the least consciousness of having committed even a venial offence in searching Ancient Indictments for references to roads, bridges, sewers and the like, even though the important problems to which Miss Putnam draws attention remain unsolved.

The Coram Rege Rolls are very different in completeness and in unity of form from the Ancient Indictments. They are well known and it is unnecessary to go at length into their history. They are the lineal descendants of the Rolls of the King's Court, which date from the reign of Richard I. They contain two parts: the civil pleas, which form much the larger portion of each roll, and the pleas on the Crown side which constitute the Rex Roll, and these two sections were divided physically at the beginning of the reign of Anne and formed two series known as Judgment Rolls and Crown Rolls respectively.

In the early years of the reign of Edward III. the entries which are set out in this volume are found indifferently in either portion of the roll; but the procedure soon became formalised and from the middle of the reign onwards they are always on the Rex Roll. Generally the Crown side of the Court was concerned with criminal business; but this is not exclusively true. A very large proportion both of the Ancient Indictments and the Rex Rolls does indeed relate to criminal offences; but in both series these actions for the maintenance of roads, bridges and the like are an integral and proper portion of the record, and so far are they from being criminal in nature that the Ancient Indictments preface them with the word *articulus* instead of *felonia* or *transgressio*. The real nexus of the Crown side of the King's Bench is in fact the King's interest in the matter at issue whether as the maintainer of public order or as the conservator of public utilities.

The entries on the Coram Rege Rolls are much more complete than those in the Ancient Indictments; they set the pleadings out at length and in successive entries trace the whole history of the case,

often over a long period of years.¹ Ideally the judgment should always be found; but it would appear that these actions were often allowed to lapse. The Ancient Indictments, on the other hand, merely give the presentment with only an occasional interlineation, such as 'confitetur' or 'vj d.' or 'ponit' [*se super patriam*], to indicate the subsequent proceedings. They do, however, supply the names of the jurors and of the presenting hundred, which are not set out in the enrolments.

Although much has been done in recent years to make the records more accessible by means of printed calendars and indexes, the rolls of the Courts of law, as distinguished from the Court of Chancery, are still in the main dependent on manuscript collections for clues to their contents. There are four great series of manuscript indexes in the Public Record Office, compiled in the seventeenth and eighteenth centuries. They are known as Palmer's, Ayloffe's, Le Neve's and Agarde's Indexes and refer respectively to the records of Chancery, the Duchy of Lancaster, the Common Bench, and the King's Bench. Palmer's is the largest collection and, notwithstanding recent publications, is still of the greatest value and is in daily use. Agarde's series, to which the present compilation owes very much, is distinguished for the neat appearance of many of the volumes and for the careful indexes which often give not only the names of places and persons but also a number of subject groups. The volumes used for the present work have been 35, 36, 37, and the specimen page which follows will give an idea of the nature of the calendar.

Agarde's Index Coram Rege Rolls, Vol. 36, fo. 24d.

E. 3.

Michaelis
anno xlix^o.

*Memorandum quod in abbreviando hoc
Recordo cum ad Rotulos 66 et 69 perveni inveni
illos semiscissos et deficientes plus quam dimidio.*

Lincolnia 72.	Robertus de Hapelesthorp attachiatus ad sectam Episcopi Lincolniensis pro fugacione leporum perdicum etc. infra warennam dicti Episcopi apud Stoweparkes Marton et Gayteburton etc. Dicit quod non est culpabilis pro Stoweparkes et Marton et pro Gayteburton dicit quod Domina de la Lee est domina dicti manerii et quod Episcopus non habet in eadem villa dominium terras neque tementa et petit iudicium etc. Ad quod episcopus	Gayte- burton e alibi pro warenna. Episcopi Lincoln'.
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¹ Cf. pp. 239, 240.

dicit rex Henricus primus dedit Roberto tunc episcopo Lincolniensi per cartam suam warennam suam de Lincoln' quantum in soka de Newarka et Stoue erat et concessit ei totam sokam de Newarca et Stoue in warennam etc. Et quod Henricus rex Anglie dux Normanie et Aquitanie et comes Andagavie per cartam suam precepit quod episcopus Lincolniensis R. habeat warennam suam inter Newarcam et Stouam cuiuscumque sit terra sicut predecessores sui tempore Regis Henrici avi sui melius et liberius tenuerunt et habuerunt datam anno tercio dicti regis Virtute cuius doni dicit quod ipse et omnes predecessores sui a tempore quo etc. hucusque seisiti fuerunt de libera warennasua per totam sokam de Stowe que modo vocatur Wellewapentak Dictus Robertus dicit quod predictus episcopus et predecessores sui non fuerunt usi habere liberam warennam in predicta villa de Gayteburton Set per iuratores compertum fuit quod dictus Episcopus habet warennam sicut placitavit per totam sokam predictam Et reddunt dampna—
xxs. versus predictum Hapelesthorp.

Rotuli finium hoc termino xiiij

*Denarii de finibus domino Regi inde debiti
ut patet v^{lviij} s. v^s. vij^d.*

Rex.

Lincolnia 8. Villate de Hokington et Gerwik non possunt *Sewera*:
dedicere quin tenentur reparare et mundare medietatem de Gerwikehee in parte boriale videlicet a Gerwyke usque vachariam abbatis de Swinesheued que vocatur Herewik. Ideo distringantur etc. Item presentatum fuit quod villa de Byker tenetur reparare et mundare ripam de Byker ubi le Dam est et debet esse aperta omni tempore anni et modo obstruitur ad nocumentum marisci etc. de Helpringham et Hale.

Similis presentacio pro reparacione sewere vocate Gonweldyke in Byker quam dicta villa debet reparare.

Cornubia 9. In placito super diem clausit extremum post mortem Willelmi Daubeneye patet per duas iuratas inter dominum regem et Egidium Daubeney fratrem dicti Willelmi quod dominus Rex mandavit [vicecomiti quod manum suam] amoveat de manerio de Trenay cum dominio de Fowyton* Polruan et Usse et reddantur dicto Egidio. Dicta terra et tenementa tenentur de domino principe Wallie per servicium viij^o partis 1 feodi militis ut de castro de Launceston.

* end of page.

It must not be supposed that these records of the King's Bench exhaust the documentary sources of information as to mediaeval public works. In the King's Bench itself it is quite clear that the Eyre Rolls must contain similar information to the rolls of the King's Court. Presentments of obstruction of roads properly followed the article in the eyre 'de purpresturis'¹; the *Chronica Rogeri de Hoveden* definitely gives *de viis domini regis estreiciatis* as one of the capitula of an eyre, and Miss Putnam's examples make it obvious that other documents now included among Assize Rolls afford a rich field for investigation. The other Courts of law and the Court of Chancery would also repay search. I have not searched the De Banco Rolls, but there are numerous references² to the Justices of the Common Bench hearing cases of this kind on eyre. In the Exchequer I have found an information for non-repair of a road as late as George I. But, generally speaking, these matters were regarded as the concern of the Crown, and therefore the King's Bench is among the courts of law the proper place in which to search for them.

In the Court of Chancery there are numerous enrolments on the Patent and Close Rolls relating to all the subjects included in this collection. Inquiry by writ of *ad quod damnum* was also a normal process,³ and in the series known as Miscellaneous Inquisitions liability for the maintenance of roads and bridges is a frequent subject of investigation.

Material would also be found here and there in manorial records. The *Byrggëwryghters* of Abingdon were probably manorial officers⁴; there is a definite complaint that the stewards of the abbot of Westminster would not suffer a nuisance for which he was himself responsible arising from failure to clean certain ditches at Feering to be presented at his courts leet for the past thirty years⁵: and in the manor of Hooton Pagnell, and probably elsewhere, surveyors of roads and bridges were definitely appointed and had to report periodically at the court of the manor.

In the case of bridges in particular the net can be cast in a far wider area. Their care was one of the numerous matters where the interests of Church and State met. They were frequently maintained by charity⁶ and by specific bequests and were often first built by hermits⁷; as late as the period of the Commonwealth land and money devoted to the maintenance of bridges and causeys were definitely included among the charitable uses which were to be unaffected by the sequestration of

¹ See *Formula Book of Legal Documents*, pp. 196, 197.

² E.g. pp. 29, 157, 240.

³ P. 297.

⁴ P. 13.

⁵ P. 67.

⁶ Pp. 13, 14, 22, 152, 211, 288.

⁷ P. 262.

Bishops' lands and other ecclesiastical revenues.¹ The Church was always ready to encourage these works of practical piety, and this encouragement frequently took the form of indulgences. A list of Salisbury indulgences between the years 1170 and 1536 compiled by Canon Wordsworth² includes one *pro ponte de Berebrigge apud Warton in Kendal*, another *pro ponte et calceto in parochia de Symondesbury et Chideock in agro Dorset*, both of 1389, another for the common road between Milcent Bawe and Henxbridge Cross of 1396, and another of 1506 *pro ponte de Crawford*. It is quite possible that the records of other dioceses would give similar results.

It is clear therefore that the present book merely taps two obvious sources of information. A complete collection of records relative to the subjects with which these volumes deal would be a very large undertaking indeed and would leave untouched hardly any repository of records, whether national, ecclesiastical, municipal or manorial.

I cannot claim that the title 'Mediaeval Public Works' is of much value as an indication of the contents of these volumes. Only a long and cumbrous form of words would fulfil that function. 'Entries in mediaeval records relative to the maintenance of roads, bridges, sewers and other public local works' would be a more adequate but a tedious and verbose title.

Almost all the entries may be grouped as relating either to roads, bridges, ditches, rivers or sewers. More generally still, they deal either with means of communication or with drainage systems.

One has only to walk across open heather country to see that in their most primitive form roads are the invention neither of civilisation nor of humanity; even in the rabbit warren the footsteps of the pioneer are followed by others until a well-marked track appears. It would therefore be purposeless to attempt to trace the English system of roads to its beginnings. The serious development of the highway system was, of course, here as in other countries, the work of the Romans; but there were numerous trackways in existence before they came; Duignan, for instance,³ stated that an ancient road near Kenilworth, known as the Welsh Road, the Welshmen's Road and the Bullock Road, by which up to a comparatively recent date the Welshmen brought their cattle from North Wales to London, occupies the site of a British trackway. He also regarded the road between

¹ *Acts and Ordinances of the Commonwealth*, i. 883; ii. 84, 416, 436.

² *Wiltshire Archaeological Magazine*, vol. xxxviii. p. 22.

³ *Warwickshire Place-Names*, p. 42.

Birmingham and Stratford as having been a highway centuries before the Norman Conquest.¹

In the latter passage in reference to a place called Monkspath near Solihull he indicated an important factor in the later development of roads. The religious houses were active wilderness-winners and pioneers in agriculture; and in both these capacities they were forced to turn their attention to the maintenance of roads. 'It was common,' Duignan wrote, 'for the monks to make and maintain public roads and also special roads between their monasteries and granges, which they sometimes paved in the centre.' The great preponderance of cases in the present collection in which religious houses are concerned is thus not altogether unexpected; and several cases will be found where it is urged that the roads in question were for the private use of an abbey or priory and that the public had no access to them as of right: thus² the prior of St. Katherine without Lincoln pleaded that a road between Brantston and Lincoln within his grange was only open to the public according as the gates of the grange were left open or closed, and that owing to the abuse and consequent damage of the road and grange he had stopped it by building a wall; and a jury eventually decided that he was within his rights in doing so.

Another important factor in the development of means of communication in the early Middle Ages was military necessity; when the king was at war with Wales or Scotland the maintenance of good lines behind his armies and the necessity of making advance as easy and secure as possible involved much road making and widening in the wild regions of the western and northern marches. Thus in 1278 Roger Mortimer was appointed to enlarge and widen the roads and passes in Wales and Denbighshire (which was then not included in Wales but was part of the marches)³; and in 1283 Roger Lestrangle and Bogo de Knovill were entrusted with the task of clearing and widening the passes into Wales so that each pass should be a bowshot in breadth. In the latter case the reason given was the king's desire to obviate the evil deeds of men and to govern his subjects with kindness and gentleness; but the iron hand within the velvet glove can hardly fail to be seen.⁴

Causeys form a link between roads and bridges. They are in fact roads over land of such a treacherous nature that they have to be

¹ *Warwickshire Place-Names*, p. 86.

³ *Calendar of Various Chancery Rolls*, p. 164.

² P. 276.

⁴ *Ibid.* p. 274.

built up and strengthened with stonework. They have much in common with a bridge and Fuller's definition of them is actually 'bridges over dirt.'¹ The causey between Abingdon and Marcham was maintained by 'bryggewryghtters.'² Holland Bridge, an important means of passage between the wapentakes of Holland and Kesteven, was in reality a causey, in one part of which were no less than thirty bridges, each being ten feet wide and eight feet above the level of the ground.

It is obvious that a bridge is as much part and parcel of the king's highway as the ford, which existed before it was built, since it is nothing but a contrivance for enabling travellers to cross dryshod over water; and the subservience of the bridge to the road is still more clear in the cases where the engineer of modern times has carried one highway over another in order to ease the conditions of heavy traffic. But its comparatively elaborate structure made its maintenance a matter of greater care and anxiety than that of the long leagues of intervening road. Hence it is perfectly normal that the maintenance of bridges occupies a large space in this connection. This, however, can hardly be regretted, for their appeal to the imagination is universal and materials for a methodical history of bridge-building in England are scanty.

The evolution of the road and of the bridge are to a certain extent similar. It must have been a very rudimentary savage who first laid a piece of timber across a stream for his ease in coming and going, and it is not unlikely that bridges of a fairly substantial nature were erected in Britain before the advent of the Romans: Bow Bridge was probably in existence in the time of Vespasian, who made use of a bridge in the Thames marsh lands towards its mouth to pursue his discomfited opponents.³ The engineering abilities of the Romans and the enterprise of the monastic orders also contributed something, and there is ample evidence that royal activities were often expended in this direction. But whereas the provision of roads was usually dictated by the needs of war, it was, so far as record evidence goes, generally for the furtherance of the king's sport that orders were issued for the erection of bridges. There are numerous entries in the Calendars of Close Rolls which illustrate this. In 1234 the sheriffs of Essex and Hertfordshire and of Somerset and Dorset were ordered to build and repair bridges in their bailiwicks so that the king with his birds could freely pass all the rivers there. A similar order issued to the sheriff of Berks with the

¹ *Worthies*, i. 34.

² P. 13.

³ *Morant's History of Essex*, i. 20.

limiting clause *in locis quibus esse consueverunt tempore Iohannis regis*: a more general order issued in September of the following year to the sheriffs of twenty-two counties. The repair of Staines bridge, which was in the king's forest of Windsor and therefore of high sporting importance, was assisted by grants of timber. The keeper of the bridge at Ickford near Brill in what was then one of the best hunting districts in England had similar assistance.¹ Many years later, e.g. in 1361 and 1374, orders continued to be issued for the maintenance of bridges for the king's hawking, and in one case signposts were to be erected to shew the position of fords.² On the other hand a grant to the men of Carmarthen in 1291 in aid of the maintenance of their bridge must have been due to military or political motives.³

But while a road could be left to itself or at any rate to unregulated local effort, the maintenance of bridges required more control and there are therefore marked differences between the two cases. The repair of bridges, together with military service, and the repair of fortresses, formed the threefold burden which has been generally known as the *Trinoda necessitas* since the time of Blackstone, and it was these three duties which in Anglo-Saxon charters were usually excepted, when general exemption from secular service was granted. It is possible that at first the making of roads was included in these universal public duties,⁴ but the charters quoted by Mr. Stevenson⁵ give *fyrð*, *brycgbot* and *burhbot* as the elements in this *communis labor* and do not include road repair. This public obligation would not be likely to suffer diminution under the Norman kings. They probably used it for all that it was worth and the necessity thus arose for including in Magna Carta the provision⁶ *nec villa nec homo distringatur facere pontes ad riparias nisi qui ab antiquo et de iure facere debent*. Although this clause is seldom if ever cited as a defence in the cases in this collection, the words *in locis quibus esse consueverunt tempore Iohannis regis* in a royal writ of Henry III. quoted above are significant, and in the reign of Edward II. the Master of St. Nicholas's Hospital, Salisbury, specifically put it forward as a reason why the sheriff of Wilts should not distrain him to repair Ayleswade bridge.⁷ A further illustration of this essential difference between roads and bridges is the far larger

¹ *Close Rolls*, 1234-1237, pp. 9, 158, 196-197, 257, 392, 475.

² *Calendar of Close Rolls*, 1360-1364, p. 285, 1369-1374, p. 592.

³ *Calendar of Various Chancery Rolls*, p. 333.

⁴ McKechnie's *Magna Carta*, p. 299.

⁵ *English Historical Review*, xxix. 689.

⁶ Cap. 23. ⁷ *Chancery Files, New Series*, ii. 69.

number of references to pontage than to viage or any corresponding word relative to the road ; and as causeys are a link between roads and bridges, so paviage, which was a duty only obtaining where a way required to be paved, stands between in its importance and frequency of occurrence.

The maintenance of rivers is part and parcel of both the types of public works, with which this volume deals ; for they are both highways of communication and integral parts of the drainage system of the country. But with the exception of the Witham and other Lincolnshire rivers, it is chiefly in the former capacity that their use was recognised in the Middle Ages. Thus a jury of the hundred of Blackbourne in Kent made their presentment in the following words : *De purpresturis dicunt quod in aqua de Limene quod est chiminum domini regis ad naves portandas facte sunt gurgites.*¹ In the present volume² the abbot and convent of Crowland pleaded that there was no king's road from the Brotherhouse to Crowland, except by the river Welland for persons travelling by ships or boats. There was in the Middle Ages little provision for communication by road where water transit was available, and rivers played a far more important and useful part in this direction than they do now. The whole development since Roman times has moreover been a gradual abandonment of conscious and deliberate rectitude for the line of least resistance, which is often the valley line ; the change has been continuous and it is only in recent times that the old coaching roads from Salisbury to Cranborne and Marlborough which ran straight over the downs have been abandoned for indirect roads which studied the lie of the land. Even the modern system of roads in England makes little use of the river valleys as a general rule, though there are exceptions, such as the lower valley of the Wye and some of the Derbyshire river beds, where conditions made it inevitable that roadway and riverway should follow the same course.

Two consequences follow. In the first place, the rivers, with which these volumes deal, are generally the larger ones, which could be used freely for the conveyance of goods ; in point of fact the Thames and the Lea, the Severn and the Wye, the Trent, the Yorkshire Ouse and the Witham are the only natural waterways which assume any importance in these pages. A second consequence is that the chief interest of the Crown was the maintenance of the fairway, and presentments are generally of obstructions,

¹ *Assize Roll*, 358, m. 20 d.

² P. 311.

whether in the form of mill dams,¹ weirs,² kiddles or smaller engines for taking fish.

The entries which relate to drainage are mainly confined to one part of England; the Great Level of the Fens, and especially to the wapentake of Holland. There is a tradition that this region was overflowed by the sea in the year 368 A.D., and it is beyond doubt that constant effort was needed and is still needed to keep back the incursions of the sea and to prevent the district from becoming waterlogged in winter and insanitary in summer. With this object the Romans built great dykes such as Cardyke and Fossedyke; and, actuated as they always were by the desire to plant their settlements where abundance of hard work could purify the celibate life, the religious orders made the low-lying parts of Lincolnshire their special province. Bardney, Barlings, Spalding, Kirkstead, Torksey, Crowland, Sempringham and many other abbeys and priories continued the work of draining this difficult district. It may have been a recognition of their practical abilities that enabled them to hold a firmer place in the popular affections here than in other parts of England and made Louth in this county the birthplace of the Pilgrimage of Grace.

There is one marked distinction between roads and bridges on the one hand and rivers and sewers on the other. The latter were to a very large extent the special care of justices appointed more or less *ad hoc*; the former were the subject of presentments before justices of the peace, the sheriff at his turn or the judges of the King's Bench. Justices were appointed to survey walls, dykes, gutters and sewers on the banks of the Thames³; to observe and keep the rivers Humber, Ouse, Trent, Derwent, Aire, Don, Wharfe, Nidd, Ure, Swale and Tees in Yorkshire and Lincolnshire.⁴ The preservation of rivers and the regulation of fisheries were included in the provisions of the Statutes of Westminster and subsequent statutes and numerous commissions to justices *pro re nata* proceeded therefrom. In the case of sewers the king in Chancery issued a continuing series of commissions of inquiry during the three centuries preceding the statute of 23 Hen. VIII., which created a machinery which soon led to a quasi-permanent commission of sewers; and these earlier commissions can be found in large numbers on the dorse of the Patent Rolls. It is true that the commissioners included bridges in their purview, but this was merely so far as the bridges were subsidiary to and connected with sewers.

¹ P. 4. ² Pp. 154 *sqq.* ³ P. 58. ⁴ *Calendar of Close Rolls, 1369-1374*, p. 163.

The present collection has well-marked limits both as to time and space; and as these limits are approximately the same both in the Ancient Indictments and in the Coram Rege Rolls, it is worth while to consider whether reasons can be assigned.

No entries were found in the Ancient Indictments prior to the reign of Edward III. or for the earlier part of that reign; and Agarde's Index gives sixteen entries prior to 22 Edward III., about 150 for the rest of the reign, and about eighty for the reign of Richard II. Thus the *terminus a quo* of this collection fixed itself. There is also a progressive decrease in the length of the individual entries: in the first period they are of great length, and cite numerous writs, commissions and other processes; throughout the whole period they become gradually briefer; a process of formalising the entries becomes more and more apparent, until in the reign of Richard II. they become, so far as form is concerned, completely stereotyped.¹

It is impossible to avoid connecting these developments with the Great Pestilence of 1348-9. The dates synchronise—perhaps too closely for the theory. It is probable that even in that period of unscientific medicine it would be apparent that stagnant sewers and ditches were bad from a sanitary point of view, and the necessity for providing adequate remedies would be brought home by the visitation of the plague. Six of the eight entries for the years 22-23 Edward III. relate to sewers; this may, of course, be a coincidence, but for what it is worth it supports this view. This interest in drainage would be the immediate consequence of the Black Death; but a far more wide-reaching but later result was the total inability of local landowners to provide labour or material for the maintenance of roads, bridges and the like. The monasteries were the chief agricultural landlords; they were the heaviest sufferers under the pestilence; and it is they who most frequently have to explain neglect of their duties in these pages. Another result of this disaster was that land passed so rapidly from hand to hand that it was difficult to determine legal ownership²: and this would be eminently favourable to a consistent avoidance of the duties connected therewith. The connection of the Black Death with the increased insistence on the proper maintenance of local works is certainly not proved by these arguments; but the coincidence of date at least makes this explanation reasonable.

¹ Cf. e.g. the gradual change in the entries grouped under Louth (pp. 220-228).

² P. 269.

There is also a curious limitation as to the counties with which this collection deals : many are not represented at all ; some, such as Bedfordshire and Leicestershire, by a single entry ; Berkshire, Buckinghamshire, Cambridgeshire, Hampshire, Kent, Norfolk, Warwickshire and one or two others have about half a dozen entries to their credit ; but the bulk of these volumes deals with six counties only—Essex, Gloucestershire, Lincolnshire, Middlesex, Surrey and Yorkshire. With the possible exception of Surrey, which does not figure largely in the Ancient Indictments, the proportion of entries for the various counties is very similar both in that class and in the *Coram Rege* Rolls. Two explanations have occurred to me, and not being mutually exclusive, they may both be true. The first is the peripatetic nature of the Court of King's Bench at this date. It sat usually at Westminster, but was for long periods at York, Lincoln and Gloucester. The large number of entries for the three metropolitan counties would be due to its headquarters being at Westminster : and the periods during which the Court was at Lincoln (49–50 Edw. III. and 19 Ric. II.) and at Gloucester (2 Ric. II.) were those in which the entries for those counties were preponderant.

A second line of explanation is that processes of this nature would be most familiar in those counties where important waterways existed. It would be in those parts of England where commissions of sewers most frequently ran that appeals to the Crown for a remedy to local negligence would be most likely to be found. Essex and Middlesex, watered by the Thames and Lea, Surrey on the other side of the Thames, Lincolnshire with its complicated system of waterways, and Yorkshire, where the Humber, the Ouse and numerous smaller rivers were frequently a cause of anxiety, are counties in which presentments of negligence of this kind would be most frequent. In the case of Gloucestershire a more forcible argument can be drawn. In the variety of its country-side, the forest district of Dean, the placid country of the north, the Cotswold Hills, sloping gently to the east and steeply to the west, and the wide basin of the Severn, it is an epitome of English scenery : yet, with trifling exceptions, all the entries are confined to the valley of the Severn, and if marked in a map would follow a line right across the country from north-east to south-west.

The preponderance of Essex, Gloucester and Lincoln in the present volume is very marked ; and Middlesex, Surrey and Yorkshire will bulk almost as largely in the second volume. The Middlesex entries in particular should be of considerable value from

a topographical point of view; possibly because 'man never is but always to be blest,' I am not without hope that the second volume will on the whole be more generally interesting than the first.

At the end of this Introduction are printed a number of references I have found or have had shewn to me during the course of the last two years. It is not supposed that they have any particular value in comparison with numerous similar extracts; but as they all are to a certain extent illustrative of the present subject, it seems a pity that they should be collected merely to be again dispersed.

I have to express my best thanks to Sir H. C. Maxwell Lyte and my colleagues in the Record Office, and to other friends, for valuable help. Mr. Hubert Hall has often helped me with his ripe experience; Mr. Ratcliff has from time to time brought passages in the records to my notice; Mr. R. C. Fowler's advice has led to the whole scope of this collection being remodelled and he has also allowed me to draw liberally on his profound knowledge of Essex topography. Most of all I am grateful to Mr. H. Stuart Moore, who has been most sympathetic and forbearing during a difficult period and, in fact, himself undertook the collation of the printed Latin with the records owing to my inability to do it myself. On points of arrangement he has on several occasions suggested improvements. I have always followed his advice, reluctantly at first: and I have always been subsequently convinced that he was entirely right. Miss K. H. Thompson has kindly transcribed for me some of the longer entries and has also helped me by copying some of the passages I have used here, and most of those that are printed in the pages immediately following; the accuracy and reliability of her work has been of real assistance to me.

C. T. FLOWER, R.G.A.

SPEIRSHILL BATTERY,
TAYPORT.

APPENDIX

Pipe Roll, 22 Hen. II.

Essex et Hurtfordscr' (Rot. i.)

De propresturis et escaetis

Willelmus filius Radulfi filii Ade reddit compotum de xx li. et j d. de misericordia patris sui pro fossato facto super assisam. In thesauro x li. et xiiij s. et iiij d. Et debet ix li. et vj s. et ix d.

Lincolnscr' (Rot. vi.)

De placitis Widonis decani et Reginaldi de Warennia et Willelmi Basset

Ailricus Bucstan debet xxiiij li. et ij s. et viij d. pro defalta faciendi pontem regis.

Berrochscr' (Rot. ix.)¹*De placitis Alani de Nevill*

Robertus de Inglesham reddit compotum de c et x s. et j d. pro essartis de Wicham et pro via effossa. In thesauro ij m. Et debet iiij li. et iiij s. et v d.

Osbertus de Brai reddit compotum de c s. de avalagio Tamise. In thesauro liberavit. Et quietus est.

Pipe Roll, 23 Hen. II.

Herfordscr' in Wallia (Rot. iii.)

Nova placita et nove conventiones per Bertramum de Verdun et Turstinum filium Simonis et Willelmum filium Stephani

Walterus archidiaconus debet c l. pro fossato levato et domo quadam contra assisam.

Nordfolch' et Sudfolch' (Rot. viii.)

Nova placita et nove conventiones per Walterum filium Roberti et Hugonem de Cressi et Robertum Mantell

Viccomes reddit compotum de dimidia m. de Herlewin' et filiis suis pro fossato prostrato et de j m. de Godwino bedello pro eodem et de dimidia m. de Ricardo Diue pro eodem et de dimidia m. de Turolde fabro et filiis eius pro eodem et de dimidia m. de Asketello filio Sigar' pro eodem et de dimidia m. de Willelmo homine Helye pro eodem et de dimidia m. de Heremanno pro eodem et dimidia m. de Radulfo Popicorn pro eodem. . . .

Rogerus frater Turolde debet dimidiam m. pro fossato prostrato. . . .

¹ These entries with certain changes as to the sums paid and owed occur also in the roll for the following year.

Item de placitis eorundem

Villata de Lopham reddit compotum de x. li. pro fossato facto in communi pastura. In perdona per breve regis comitisse Gundrede x li. Et quieta est.

Magna Carta, cap. xxiiij.

Nec villa nec homo¹ distringatur facere pontes ad riparias nisi qui ab antiquo et de iure facere debet.

Assize Roll 2., 3 Hen. III. (*Abstract.*)**BEDFORD. HUNDRED OF BEREฟอร์ด.**

William the porter of Ford obstructed the highway in Etton : let it be seen to and amended.

The same William raised a ditch to the head of the causeway of St. Neots. Let it be amended. [m. 14 d.]

TOWNSHIP OF BEDFORD.

Gervase de Bedeford made an encroachment upon the highway. Let it be amended. [m. 15 d.]

Hundred Rolls, Chapter House Series, No.**3 Edward I. Buckinghamshire.**

Inquisitiones facte per preceptum domini regis in comitatu Bukinghamshire de iuribus et libertatibus domini regis subtractis et excessibus vicecomitum [*etc.*] anno regni regis Edwardi tercio.

Hundredum de Brehull [in] comitatu Bukingeham. Verdictum duodecim iuratorum de Brehull secundum capitula eos tangencia videlicet Iohannis Ferebraz [*etc.*] qui dicunt per eorum sacramentum coram domino Sampson Foliot [et] domino Edmundo de Caldicote, iusticiariis, apud Eylesberiam in octabis sancti Martini anno regni regis Edwardi tercio. . . .

Item, de omnibus perpresturis quibuscunque factis super dominum regem vel regalem dignitatem dicunt quod Radulfus de Norwico quondam rector ecclesie de Brehull elongavit curiam suam in Aley de communi via in latitudine sexdecim pedibus et in longitudine quadraginta pedibus xv annis elapsis : et modo tenet magister Iohannes de Sancto Homerio et tenuit per tres annos : sed nessimus quo waranto.

Assize Roll, 892.³**21 Edward I. Surrey.**

Verdictum hundredi [de] Coppethorne, iuratum per Iohannem de Chetwode [*and eleven other jurors*] qui dicunt super sacramentum suum . . .

¹ *Liber homo* in an inspeximus of 1297.

² From Hubert Hall's *Formula Book of Legal Records*, pp. 139 *sqq.*

³ *Ibid.* pp. 196 *sqq.*

ad ix^m articulum de purpresturis factis super dominum regem etc. dicunt quod dominus Eustachius de Hacche fecit purpresturam xvij acrarum bruere in villa de Leddrede et obtusit regale cheminum quod duxit per medium dictarum acrarum versus Oeschete et obtusit etiam quandam aliam viam regalem in quodam loco qui vocatur Were que ducit de Leddrede versus Stoke et Kyngestane. . .

Item ad lvj articulum de pontibus et calcheis fractis etc. dicunt quod nichil sciunt nisi quod pons de Leddrede et pons de Micleham sustentantur per elemosinam patrie. . . .

Nova capitula

Ad x capitulum de omnibus purpresturis factis super dominum regem etc. dicunt quod nichil aliud sciunt quam superius dixerunt.

Assize Roll, 891, m. 6.

28 Edw. I. Surrey.¹

Burgus de Guldeford

Veredictum duodecim iuratorum ville de Guldeford videlicet Andree Cunstable [etc.] iuratorum, qui dicunt super eorum sacramentum. . . .

Si kidelli deponantur per Tamisiam et alibi in comitatu predicto dicunt quod nichil sciunt.

Si salmones capiebantur per Tamisiam vel alibi in comitatu etc. dicunt quod nichil sciunt. . . .

Si alte vie ducentes a villis mercatoriis in villas mercatorias sint elargate etc. dicunt quod nichil sciunt.

Chancery, Miscellaneous Inquisitions. (*Abstracts.*)

Writ dated Clarendon 11th Dec. 52 Hen. III.

The jurors say William de Longespye Earl of Sarum, who then [temp. John] held the castle of Sarum, first distrained Mary, then Abbess of Schafton, to repair a certain bridge within the castle of Sarum. Nicholas de Lustreshull when sheriff of Wilts distrained the abbess to repair the bridge, and took distress from the said house of Schafton 100s. The jurors say the said abbess or her church have no lands etc. on account of which they are bound to repair the said bridge.

[File 15, no. 5.]

The abbot of Coggeshall is bound to repair and maintain the bridge of Stratford between Branketre and Coggeshale (June 1308).

[File 68 (1). Calendar, vol. ii. no. 1.]

¹ Taken from Hubert Hall's *Formula Book of Legal Records*, p. 204.

Inquisition at the bridge of Wychenore, Staffordshire, 1309.

William de Saunford, to whom the king had granted certain customs for the repair of said bridge, is indicted for harbouring a murderer.

[File 68 (27). *Cal.* vol. ii. no. 27.]

Inquisition at Derteford, Kent, 1311.

Richard Trewe and Hamon le Brun rescued from William Mot, the king's bailiff, a horse and five cows taken from the tenants of Westerham for repair of Rochester bridge.

[File 71 (15). *Cal.* vol. ii. no. 113.]

Petition to the King from Eleanor de Percy, executrix of will of Sir Richard Arundel the King's bachelor. The said Eleanor prays [*inter alia*] for pontage of bridge of Weatherby which she has undertaken to repair for the soul of said Richard. If it be found by inquisition that nobody is bound to repair said bridge : let her have pontage for three years.

Inquisition before sheriff of York, York, 1316.

Nobody is bound to repair the said bridge of Wetherby, but Eleanor late wife of Henry de Percy, executrix of will of Richard de Arundel, is beginning to build and repair same suitably for the souls of said Richard and his ancestors.

[File 76 (7). *Cal.* vol. ii. no. 228.]

Commission to Ralph de Sicca Villa and others, Clipston, Jan. 1316.

Inquisition.

Henry de Sutton parson of Leke bequeathed 10*l.* and 12 oaks of 4*s.* 6*d.* each to the bridge of Keyworth in the confines of Leicester and Nottingham, of which 10*li.* were in the hands of Stephen Knot who delivered 50*s.* to Robert de Adlastre for repair of said bridge, but nothing was done. Master Peter de Leke and others (named) bequeathed various sums to said bridge and Robert de Haustede and others owe money, timber and barley thereto, but nobody is bound to construct it.

[File 76 (8). *Cal.* vol. ii. no. 229.]

Inquisition before sheriff of Salop, Buldewas, 1318.

Neither the abbot of Buldewas nor anyone else is bound to repair and maintain the bridge of Buldewas.

[File 80 (9). *Cal.* vol. ii. no. 348.]

Writ to sheriff of Hants, 1320.

Inquisition at Southampton.

Nobody is bound to repair or maintain bridges of Redbrigge unless the King is bound to do so, because they are situated on his land and no other lands are charged for such repairs. Said bridges can be repaired for 200 marks and maintained for 40*s.* a year.

[File 85 (15). *Cal.* vol. ii. no. 454.]



Writ to sheriff of Lincoln, 1321.

Inquisition at Swynesheved.

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The prior of St. Saviour in Kesteven is enfeoffed of divers great tenements out of which he should repair the causeway between Holand and Kesteven and the bridges thereof, viz. from the head of the causeway towards Kesteven to the new Inham of Donyngton, from which place to old Castelhou towards Holand the abbot of Peterborough and his men of Donyngton together with the rest of the tenants of John de Britannia earl of Richmond and others of the said town ought by ancient custom to repair and maintain said causeway ; the said contributors do not contribute yearly to the repair of the causeway as they are bound to do ; the said prior by virtue of the king's grant took custom of men of Donyngton, amount unknown.

File 86 (34). *Cal.* vol. ii. no. 492.]

Commission dated 1325. Inquisition at Larkefeld.

In 24 Henry III. there was in Pecham near the bridge now called Brantebrigge on soil of prior of Christ Church, Canterbury, a way across the river Medway where men on horse or foot could always cross except in rainy weather. Godfrey Woderoue of Uppecham of his alms assigned a sum of money in aid of making a causeway and bridge, and men with carts carrying timber from Sussex and the Wealds to the port of Newehithe, when they saw the convenience of that causeway and bridge, gave aid for making them. Afterwards two men stayed there to look to defects and to ask and exact aid from carriers and passengers for the maintenance of the causeway and bridge which were maintained till two years past, when nobody stayed there to seek aid from passengers and others.

The bridge of Twiferde is distant a league and is passable. The repair of the bridge of Brantebrigge will cost 40 marks, its maintenance is 40s. yearly ; nobody is bound to repair it.

[File 99 (12). *Cal.* vol. ii. no. 841.]

Commission dated 25 Feb. 1329.

Inquisition at Huntynghdon.

The bridge of Huntynghdon is in a ruinous state and divers legacies have been bequeathed for its support.

[File 110 (18). *Cal.* vol. ii. no. 1069.]

Commission dated 29 Aug. 1336.

Inquisition at Worcester.

The bridge of Wyke by Worcester is in a dangerous state. The prior of Great Malvern is bound to repair and maintain it by reason of his lands in those parts. He has hitherto refused to do so.

[File 129 (9). *Cal.* vol. ii. no. 1483.]

Inquisition before the escheator in Kent at Rochester, 1343.

The townships of Borstalle [etc.] ought to make Rochester bridge at the beginning on the east arm thereof towards Rochester city and make

the wharf and do the woodwork and earthwork up to 2nd pier, and that part is called 1st pier. The 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, and 9th pier allotted to various townships [*named*]. The king makes the barbican and drawbridge. The master and brethren of St. Mary of Strood make the end of the bridge towards the west arm.

Repairs necessary for 1st pier will cost £19, the 3rd pier £8 6s. 8d.

On the south side of the wharf at the east arm of the bridge there is a plot 30 feet long once wharfed against the waters now lying waste and damaged by the water. No defects at present in other piers.

[File 149 (24). *Cal.* vol. ii. no. 1846.]

Writ to the sheriff of Dorset, 20 Nov. 1342.

Inquisition at Dorcestre, 1343.

The bridge of Wollebrigge is and always has been maintained and repaired by alms, and nobody is bound to maintain or repair it.

[File 149 (26). *Cal.* vol. ii. no. 1848.]

Inquisition before escheator in Kent at Est Grenewich, dated 1345.

The hundred of Blakhethe, viz. West and Est Grenewich, Wolwich, Leusham, Eltham, Modyngnam Burgh, Lee, Ketebrokes and Cherlton ought to repair 'Depevord Brigge.'

[File 153 (4). *Cal.* vol. ii. no. 1929.]

Inquisition at Romesey, 1345.

Nobody has been wont to repair the bridge of Rumbrigge except by the alms of the country and persons crossing it.

[File 153 (15). *Cal.* vol. ii. no. 1940.]

Inquisition at Larkefeld, dated 1346.

The men of Eltham, Modyngnam and Wolewyche never contributed to repair of Depeford bridge, the other men of the hundred of Blakehethe are bound to do so.

[File 155 (8). *Cal.* vol. ii. no. 1971.]

Inquisition at Redbrigge, Hants, dated 1347.

The bridge of Redbrigge is damaged to the great loss of the adjacent parts and danger of persons crossing.

The bridge was built by charity and nobody is bound to repair or maintain it.

[File 158 (8). *Cal.* vol. ii. no. 2024.]

Chancery Files, New Series II. No. 69.

[Writ to Sheriff of Wilts, dated at Windsor, 8 November [?], 6 Edw. II.]

Cum nuper ad informacionem Iohannis de Netherehauene magistri hospitalis sancti Nicholai de Noua Sar' nobis suggerentis quod, cum in magna

carta de libertatibus Anglie contineatur quod nullus liber homo ad pontes faciendos nisi ab antiquo ad hoc specialiter teneatur distringi debeat et pro eo quod cum predictum magistrum ad pontem de Ayleswad' dirrutum fractum de novo reparandum, ac si idem magister aut predecessores sui magistri loci predicti pontem predictum facere aut reparare consuevissent ab antiquo vel etiam dictus magister ratione terrarum et tenementorum aliquorum hospitalis predicti ad hoc teneretur cum non teneatur ut asserit, distrinxisti multipliciter et molestasti in ipsius magistri dispendium non modicum [etc. etc.]

Chancery Files, New Series II. No. 110. (*Abstract.*)

Writ to sheriff of Huntingdon temp. Edw. II.

Jordan de Hocton is to be made custodian and overseer of the repair of the bridge of Hunteodon, where accidents have happened to men and beasts for want of repair of the said bridge. It is said that many of those parts who were wont to give alms in aid of the repair of the said bridge now have withdrawn them, and the sheriff is to induce them to continue their almsgiving for this work. He is to cause the water flowing under that bridge to flow in its ancient course until the said bridge be repaired, lest by obstruction of the ancient course the common good be retarded.

An order of the Queen's Majesties Commissioners of Sewers, 1602.¹ (*Abstract.*)

Foord Dyke from Lowland Nooke to Helpster at Grainings and soe to the Fish house Clow shall be dressed, wood cut out of the banks, the falls of earth cast out, widened from Lowlands Nooke to the Grainings, and the stones cast out from under Foredike bridge.

The sewer from Fairholme to the Leade of Cowlands (or Lowlands) and Thirty Acres, 'and soe to the old Willm^s, and soe to Dowmanlodge and soe to the Foredike,' is to be dressed with scythe and rake, and ground-scoured under a penalty of 6s. 8d. for every cord undone.

The New-dike in the West Carr is to be sufficiently dressed under the like penalty; New-dike Clow is to be maintained under the penalty of 500l.

The banks at Fishhouse Row are to be raised under a penalty of 20s. per cord.

Foredike from Cowland to 'Helpston Grainings and soe to New-Dike' is to be well dressed 'with sithe and rake and spade and shovell' before mid-summer, under pain of 23s. 4d.

Sutton Helpston bank from New Dike and to Grainings is to be raised.

The Filling Goate is to be well dressed.

The Leade Stocke at Stoneferry where the road crossed Anholme dike is to be maintained by the Byelawmen of Sutton under a penalty of 3 li. 6s. 8d.

¹ These extracts are taken from Blashill's *Sutton in Holderness*, pp. 170-172, where he identifies the various places named

Privy Council Registers, 11 May 1613, p. 7. (*Abstract.*)*A Letter to the Commissioners for Sewers, co. Essex.*

We of late addressed letters to you on behalf of certain owners of land in the levels of Barking, Eastham, and Westham, co. Essex, concerning divers dangerous breaches made this last winter by the overflowing of water and for some speedy order for stopping thereof. Having received this enclosed petition on behalf of the warden and scholars of St. Mary's College, Oxford, complaining of unequal measure offered them in the rate of contribution for the mending of those breaches, being above the yearly value of their said lands, we have been moved to recommend their case unto you, etc.

Exchequer Informations, Bundle 10, Trinity 8 Geo. I.

Memorandum quod Robertus Raymond miles attornatus domini regis nunc generalis qui pro eodem domino rege sequitur presens hic in curia xiiij die Iunii hoc termino in propria persona sua pro eodem domino rege dat curie hic intelligi et informari quod quedam communis alta via regia infra parochiam de North Chappell in comitatu Sussex' ducens a predicta parochia de North Chappell in comitatu Sussex' predicto a quodam loco infra eandem parochiam vocato Cripple Crouch Hill ad quandam magnam villam mercatoriam in eodem comitatu vocatam Pettworth primo die Maij anno regni domini Georgii nunc regis octavo fuit et adhuc existit in magno decasu et ruina ob defectum reparacionis et emendacionis eiusdem ad commune nocumentum omnium ligeorum subditorum dicti domini regis per viam illam transeuncium ac contra pacem dicti domini regis nunc coronam et dignitatem suas ac quod inhabitantes parochie de North Chappell predicta in comitatu Sussex predicto communem altam viam regiam predictam reparare et emendare debent et solebant tociens quociens necessarium fuerit. Ideo idem attornatus dicti domini regis generalis petit advisacionem curie in premissis et quod predicti inhabitantes parochie de North Chappell predicta in comitatu Sussex predicto distringantur ad respondendum dicto domino regi de et in premissis.

ROB. RAYMOND.

PUBLIC WORKS IN MEDIAEVAL LAW.

BEDFORDSHIRE.

I.

BIDDENHAM BRIDGE.

Record of writ and inquisition delivered into court by Michael de la Pole chancellor in Michaelmas term, 1383.

Writ dated 7 October to the sheriff to enquire what townships ought to repair Biddenham bridge which is broken down and dangerous and will become more dangerous unless repaired.

Inquisition taken at Bedford 26 October, by the oath of Robert Parentyn and others, who say that the townships of Stagsden, Turvey, Stevington and Biddenham ought to repair and hitherto have repaired the bridge for horses, carts and men.

Precept to the sheriff.

On the octave of St. Michael, 1386, the townships of Stagsden, Stevington, and Biddenham appeared before the king by Thomas de Beeston their attorney, and Turvey by Thomas de Bedford its attorney: the three former acknowledged liability; the last denied liability and sought the verdict of the country. Edmund Brudenell, suitor for the king, did likewise. The case was postponed to the morrow of All Souls and to the octave of Hilary next following.

Coram Rege Roll, Mich., 10 Richard II. rex 15.

Memorandum quod Michael de la Pole domini regis cancellarius per manus suas proprias liberavit hic in curiam alias scilicet termino sancti Michaelis anno regni regis nunc septimo quoddam recordum in hec verba.

Ricardus dei gracia rex Anglie et Francie et dominus Hybernice vicecomiti Bed' salutem. Quia ut intellexerimus quod pons de Bydenham in comitatu predicto adeo dirutus est et contractus ad magnum periculum hominibus per pontem illum transeuntibus iminet hiis diebus

et maius periculum defacili imienire ¹ dinoscitur nisi cicius reparetur et emendetur, nos pro quietum (*sic*) populi nostri in hac parte providere et quod iustum fuit ac consonum rationi fieri volentes tibi precipimus quod per sacramentum proborum et legalium hominum de balliva tua per quos rei veritas melius sciri poterit diligenter inquiras de nominibus omnium villatarum que pontem predictum reparare et emendare debent et solent et hactenus reparare et emendare consueverunt et qualiter et quo modo, et inquisitionem inde distincte et aperte factam nobis in cancellariam nostram sub sigillo tuo et sigillis eorum per quos facta fuit sine dilacione mittas et hoc breve. Teste me ipso apud Westmonasterium septimo die Octobris anno regni nostri septimo.

Inquisicio de qua in brevi predicto fit mencio sequitur in hec verba. Inquisicio capta apud Bedford' die Lune proxima post festum Omnium Sanctorum anno regni regis Ricardi secundi post conquestum septimo coram Iohanne de Aylesbury vicecomite Bed' virtute cuiusdam brevis domini regis eidem vicecomiti directi et huic inquisitioni consuti per sacramentum Roberti Parentyn ². . . iuratorum qui dicunt super sacramentum suum quod villate de Stachesden Turvey Styvyneton et Bydenham coniunctim reparare et emendare debent et solent et hactenus reparare et emendare consueverunt pontem de Bydenham videlicet pro equis caretis et hominibus aperte per pontem illum transeuntibus. In cuius rei testimonium huic inquisitioni predicti iuratores sigilla sua apposuerunt date die loco et anno supradictis. Per recorda de anno septimo.

Per quod preceptum fuit vicecomiti quod non omitteret quin venire faceret prefatas villatas ad respondendum etc.

Et modo scilicet in octabis sancti Michaelis isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate de Stacheden' Bydenham et Styvyngton' per Thomam de Beeston' attornatum suum et predicta villata de Turveye per Thomam de Bedford attornatum suum similiter venit: et predictae villate de Stacheden' Bydenham et Styvyngton' cognoverunt quod ipse tenentur pontem predictum reparare et emendare simul cum prefata villata de Turvey sicut super ipsas presentatum est et dicunt quod ipse parate sunt reparare pontem predictum si etc.: et predicta villata de Turvey dicit quod ipsa non tenetur reparare seu emendare pontem predictum nec aliquam partem earundem (*sic*) nec ipsa nec aliquis predecessorum suorum de iure pontem predictum unquam reparaverunt seu emendaverunt et inde ponit se super patriam etc.

¹ The Latin of the writ is very corrupt.

² The names of eleven other jurors are given.

Et Edmundus Brudenell' qui pro domino rege sequitur etc. dicit quod predicta villata de Turveye pontem predictum coniunctim cum predictis villatis de Stacheden' Stevyngton' et Bydenham de iure reparare et emendare tenetur sicut super ipsas presentatum est et hoc pro domino rege offert verificare per patriam etc. Et predicta villata de Turveye similiter.

Ideo veniat inde iurata coram domino rege in crastino Animarum ubicumque etc. et qui etc. ad recognoscendum etc. Ad quem diem coram domino rege apud Westmonasterium venit predicta villata de Turvey per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege usque in octabas sancti Hillarii ubicumque etc. pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum etc. Idem dies datus est prefate villate etc. Et vicecomes apponat octo (*sic*) tales etc.

This bridge is over the Ouse, which forms the boundary between the parishes of Bromham and Biddenham, which are joined as *una villa* in *Nomina Villarum*.¹ The bridge was of some importance and was in existence in 1281 A.D.: seventeen arches were in Biddenham and four in Bromham. A chantry was founded in 1295 for the safety of travellers who were in danger from thieves and, as it was known as the chantry of Biddenham bridge, it is possible that it may have been charged with part of the repair of the bridge, although there is no mention of such a chantry in the present document.²

¹ *Feudal Aids*, i. 17.

² *Victoria County History, Bedf.*, vol. iii. pp. 44, 49.

BERKSHIRE.

II.

CAUSEY FROM FARINGDON TO RADCOT BRIDGE AND OBSTRUCTION OF THE THAMES AT RADCOT.

Presentment in Michaelmas term, 1387, at Reading that a road called le Causey between Faringdon and Radcot Bridge is broken and muddy by default of the abbot and convent of Beaulieu, who have repaired it from time out of mind, and that the course of the Thames is hindered by the dam of the abbot of Beaulieu's mill at Kyndelweirsmill which is raised so high that the water of the river flooded Eaton and Radcot meadows and many others.

Precept to the sheriff.

On the octave of Trinity, 1389, the abbot appeared by Stephen del Fall', who protested that no special matter was shewn in the presentment to bind the said abbot and that Beaulieu Abbey in Hampshire was distant from the aforesaid road forty leagues, and said that the abbey was founded within legal memory by King John, the exemplification of whose charter he produced in court, and he craved judgment on this ground. As to the mill dam he said that it was in the abbot's free tenement and had been there from time immemorial, long before the foundation of the abbey, without hindrance to the course of the Thames; without acknowledging that the abbot raised the dam to the damage of the meadows aforesaid, he said that in that case the tenants of the meadows aforesaid, and not the king, were competent to take action. He sought the verdict of the country, and Edmund Brudenell, suitor for the king, did likewise. A day was given on the octave of St. John the Baptist next following.

Ancient Indictments File 182 m. 2.¹

*Hundredum de Wantyngge.*²

Articulus. Iuratores presentant quod est quedam regia via ducens de villa de Faryndon' usque Ratkotebrigge que est confracta profunda

¹ The indictments which are here printed from this file belong to the earlier years of the reign of Richard II.

² There are similar presentments by the hundreds of Lambourne and Faringdon on membranes 1 and 7.

et lutosa pro defectu reparacionis sic quod homines cum equis et carectis suis ibidem absque magno periculo transire nequiunt: quam quidem viam abbas de Bieulieu et omnes predecessores sui a tempore quo non extat memoria reparare consueverunt et de iure tenentur.

Coram Rege Roll, Hil., 11 Richard II. rex 18.

Berkes'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Michaelis anno regni regis nunc undecimo coram domino rege apud Redyng' presentaverunt quod regia via que vocatur Cawsey in Farendon' que se extendit usque Rotecotesbrigge dirruta est et ~~confracta~~ et quod abbas de Bewlieu et predecessores sui a tempore quo non extat memoria illam tenentur reparare et emendare et non emendaverunt ad nocumentum tocius patrie. Item presentaverunt quod cursus aque de Tamisia impediatur (*sic*) per quoddam stangnum molendini abbatis de Biaulieu apud Kyndelweresmeil' positum et quod predictus abbas stangnum predictum in tantum exaltavit quod aqua predicta pratum de Eton' et Rudcote et multa alia prata ex utraque parte aque predictae iacencia inundavit et destruxit ad grave dampnum tocius patrie per aquam predictam iacentis.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret predictum abbatem ad respondendum etc.

Postea scilicet in octabis sancte Trinitatis anno regni nunc xiii^o venit predictus abbas per Stephanum del Fall' attornatum suum et allocutus est qualiter de premissis sibi impositis se velit acquietare: dicit quod, ubi per presentationem predictam supponitur quod predictus abbas et predecessores sui a tempore quo non extat memoria illam viam reparare tenentur et emendare, idem abbas per dictum attornatum suum, protestando quod non est aliqua materia specialis in dicta presentatione contenta per quam idem abbas tenetur dictam viam reparare et eciam protestando quod abbacia de Bealieu est in comitatu Sutht' et distat a predicta via que est in comitatu Berkes per quadraginta leucas, dicit quod abbacia predicta fundata fuit per dominum Iohannem quondam regem Anglie progenitorem domini regis nunc quod est post tempus memorie et profert hic in curiam cartam predicti Iohannis regis sub magno sigillo domini regis nunc confirmatam et exemplificatam per quam idem dominus nunc rex recitat ipsam (*sic*) abbaciam predictam fundasse, et petit iudicium ex quo abbacia predicta existit post tempus memorie fundata per predictum I. nuper regem Anglie si per presentationem predictam predictus abbas ad reparacionem et emendacionem predictae vie onerari debeat absque hoc quod predictus

abbas seu predecessores sui a tempore quo non extat memoria reparaverunt seu emendaverunt seu viam illam reparare et emendare tenentur prout per presentationem predictam supponitur et hoc paratus est verificare etc. Et similiter per presentationem predictam supponitur quod cursus aque de Thamisia impeditur per quoddam stagnum molendini abbatis de Beaulieu apud Kyndelweres Mulle positum: idem abbas per dictum attornatum suum dicit quod idem stagnum est positum in libero tenemento dicti abbatis et quod predictum stagnum fuit ibidem a tempore cuius contrarii memoria non existit et diu antequam abbacia predicta fundata fuit absque hoc quod cursus aque de Thamisia impeditur etc. prout per presentationem predictam supponitur et hoc paratus est verificare etc. et petit iudicium etc.; et similiter, ubi per presentationem supponitur quod predictus abbas predictum stagnum in tantum exaltavit quod aqua predicta pratum de Eton' et Rudecote et multa alia prata inundavit et destruxit, idem abbas per dictum attornatum suum venit et protestando non cognoscere quod ipse exaltavit stagnum predictum prout per presentationem predictam supponitur dicit quod ex quo per eandem presentationem supponitur quod pratum de Eton' et Rudecote inundata et destructa sunt per exaltacionem stagni predicti, in quo casu accio inde si aliqua sit competit tenentibus pratorum predictorum et non domino regi absque aliqua materia speciali specificata etc. unde etc., absque hoc quod ipse exaltavit stagnum predictum prout per presentationem predictam supponitur et hoc paratus est verificare etc.: et similiter ubi per presentationem predictam supponitur quod aliqua prata inundata sunt et destructa idem abbas dicit quod non sunt aliqua prata inundata vel destructa per exaltacionem stagni predicti etc. sicut super ipsum presentatum est et hoc paratus est verificare per patriam. Et Edmundus Brudenell qui sequitur pro domino rege dicit quod predictus abbas et predecessores sui a tempore quo non extat memoria predictam viam regiam que vocatur Cawsey in Farendon' que se extendit usque Rotecotesbrigge tenentur reparare et emendare et non emendaverunt sicut super ipsum presentatum est et quod cursus aque de Tamisia impediatur per quoddam stagnum molendini dicti abbatis apud Kyndelweres melle positum et quod predictus abbas stagnum predictum in tantum exaltavit quod aqua predicta pratum de Eton' et Rudecote et multa alia prata ex utraque parte aque predictae iacencia inundavit et destruxit ad grave dampnum tocius patrie per aquam predictam iacentis sicut super ipsum presentatum est et hoc paratus est pro domino rege verificare per patriam. Et predictus abbas similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Iohannis

Baptiste ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato abbati etc.

Faringdon priory was a cell of Beaulieu abbey, which may account for the abbot's liability. The damages to the causeway may possibly have been caused by the battle of Radcot Bridge in 1387, when Robert de Vere was defeated by the duke of Gloucester.

The road was actually in Faringdon hundred, and it therefore appears that presentments of default could be made by hundreds other than that in which the road or bridge lay. The name of the hundred is, in point of fact, omitted in the *Coram Rege* rolls, where presentments usually begin with the words *Iuratores diversorum hundredorum*. It was however essential that the jury should belong to the county in which the land was situated.

III.

HIGHWAYS AT KINTBURY.

1. Presentment by jurors of Lambourn hundred that the king's road between Kintbury and Barton manor is flooded and stopped by default of the prioress of Amesbury and Amory de St. Amand to cleanse the ditches on the north and south side respectively.

2. Presentment by jurors of Kintbury hundred that the king's road at Kintbury Amesbury leading from the river Kennet is stopped and the surrounding meadows flooded by the rising of the river by default of the prioress of Amesbury.

1. Ancient Indictments File 182 m. 1.

Hundredum de Lamburne.

Articulus. Iuratores hundredi predicti . . . presentant quod est quedam via regia inter Kentbury et manerium de Berton' que superundata est et obstupata pro defectu mundacionis duorum fossatorum ex utraque parte vie iacencium ad nocumentum tocius populi ibidem transeuncium et quod unum fossatum videlicet ex parte boriali priorissa ¹ de Amnesbury reparare et emendare tenetur et quod aliud fossatum ex parte australi Almaricus ² de Seyneamond reparare et mundare tenetur.

2. Ancient Indictments File 182 m. 4.

Hundredum de Kentbury.

Articulus. Iuratores presentant quod est quedam regia via apud Kentbury Ambresbury ducens extra aquam de Kenet que est obstupata

¹ Above this word is written *posuit se*.

² Above this word is written *Q' per patriam*.

per cretennium aque de Kenet pro defectu reparacionis et mundacionis sic quod prata ibidem circumquaque iacencia pro defectu mundacionis inundata existunt et homines ibidem transeuntes cum equis et carectis suis absque magno periculo transire nequiunt qua[m] quidem viam priorissâ de Ambresbury et omnes predecessores sui a tempore quo non extat memoria mundare et reparare consueverunt et de iure tenentur.

IV.

ROAD AT GARFORD.

Presentment by jurors of Wantage hundred that the king's road leading from Garford to Gildenbrigge is broken and muddy by default of the township of Garford.

Ancient Indictments File 182 m. 2.

Hundredum de Wantynge.

Articulus. Iuratores presentant . . . quod est quedam regia via ducens a villa de Gerford' usque Gildenbrigge que est confracta profunda et lutosa pro defectu reparacionis sic quod homines cum equis et carectis suis ibidem absque magno periculo transire nequiunt quam quidem viam villata de Gerford de iure reparare tenentur.

V.

ROAD AT STANFORD-IN-THE-VALE.

Presentment by jurors of Faringdon hundred that a ditch near the king's road at Stanford is stopped with dirt so that the road is broken by streams of water by default of the prioress of Amesbury.

Ancient Indictments File 182 m. 7.

Hundredum de Faryngdon'.

Articulus. Iuratores hundredi predicti presentant . . . quod est quedam fossata apud Stanford' prope viam regiam ibidem et est obstupata cum fimo¹ per quod regia via ibidem per diversa flumina est confracta quod homines cum equis et carectis suis ibidem transire non possunt ad grave nocumentum tocius patrie quam quidem viam priorissa de Ambresbury de iure reparare tenetur.

¹ *Fimus* is usually translated 'dung,' but it has probably the more general meaning of 'mud' or 'dirt' in this and other similar presentments.

VI.

ROADS AND BRIDGE REPAIRABLE BY THE ABBOT OF
READING.

1. Presentments by jurors of Theale hundred that (a) the king's road from Basingstoke to Abingdon (b) a bridge on the aforesaid road (c) a road from Basingstoke to Reading (d) the king's road from Theale to Reading are out of repair by default of the abbot of Reading.

2. The aforesaid presentments and a presentment that the king's road from Cholsey to Wallingford at Winterbrook is covered with water and miry to the danger of foot passengers and horsemen by default of the aforesaid abbot and the convent of Reading, who held land on either side, to the general damage and to the special damage of the king's borough of Wallingford, and a presentment that the king's way at Cholsey at the end of Tadesey on the east side is covered with water and miry to the danger of passengers both in winter and summer by default of the said abbot and convent, who held land on either side, came before the king at Reading in Easter term, 1398.

Precept to the sheriff.

Afterwards, in Easter term, 1401, the abbot came before the king at Westminster by John Hulton, his attorney, and said that neither he nor his predecessors were or had been liable to repair the roads and bridge aforesaid and he put himself on the country. Thomas Couele, suitor for the king, did likewise.

A jury was summoned for the quinzaine of Trinity and the process was continued to the quinzaine of St. Michael, by writ of *nisi prius*: at which day the said abbot appeared by his said attorney and John Hulle, justice of assize, sent the record of the verdict of the jury had before him to this effect: Afterwards before John Hulle, justice, and John Lopenford, the aforesaid abbot came by his aforesaid attorney, and the jurors, being challenged and sworn, say that neither the aforesaid abbot nor his predecessors ever repaired the aforesaid roads and bridge or were liable to do so: and the abbot goes without a day, saving the king's right.

1. Ancient Indictments File 182 m. 18.

Hundredum de Thele.

Articulus. Iuratores presentant quod regia via ducens de Basyngstoke usque villam de Abyndon' ruinosam est et defracta pro defectu reparacionis ad grave nocumentum omnium hominum per viam predictam transeuncium et equitancium quamquidem viam abbas de Redyng' et successores sui de iure emendare et reparare tenentur.

Articulus. Item presentant quod est quidam pons in regia via ducente de Bysyngstoke usque Abyndon', ultra quem pontem est

quedam communis via ad transeundum et cariandum : quiquidem pons ruinosus est et defractus pro defectu reparacionis ad grave nocumentum tocius patrie ibidem transeuntis : quemquidem pontem abbas de Redyng' et predecessores sui antiquitus et de iure reparare consueverunt et adhuc emendare tenentur.

Articulus. Item presentant quod est quedam via ducens a villa de Basyngstoke usque villam de Redyng' quequidem via ruinosus est et destructa pro defectu emendacionis ad grave nocumentum omnium hominum per viam predictam transeuncium quamquidem viam abbas de Redyng' de iure emendare tenetur.

Articulus. Item presentant quod regia via ducens de Thele usque Redyng' ruinosus est et defractus pro defectu emendacionis ad grave nocumentum omnium hominum ibidem equitancium et transeuncium quamquidem viam abbas de Redyng' et successores sui de iure emendare tenentur.

2. Coram Rege Roll, Trin., 22 Richard II. rex 5.

Berk'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis Ricardi secundi vicesimo primo coram domino rege apud Redyng presentaverunt quod regia via [etc. *as in 1.*] . . .¹ Item presentaverunt quod regia via apud Wynterbrook ducens a villa de Cholsey usque burgum domini regis de Walyngford' taliter est aquosa et cooperta aqua et murosus pro defectu reparacionis et emendacionis quod nullus viam predictam absque magno corporis sui periculo pertransire pedester seu equester potest, quamquidem viam abbas et conventus de Redyng' pro terris suis ex utraque parte et omnes predecessores ut de iure ecclesie sue de Redyng' tenentur reparare et mundare quociens necesse fuerit ad grave nocumentum domini regis et populi sui et precipue burgi sui de Walyngford'. Item presentaverunt quod regia via apud Cholsey ad finem ville de Tadesey ex parte orientali taliter est cooperta aqua murosus et aquosa quod nullus regiam viam predictam absque maximo periculo vite sue pro defectu reparacionis et mundacionis in yeme nec in estate pertransire potest et quod abbas et conventus de Redyng' et omnes predecessores sui ut de iure ecclesie sue predictae tenentur viam predictam tociens quociens necesse fuerit reparare et mundare pro terris et tenementis suis ex utraque parte ad grave nocumentum etc.

¹ The record includes indictments against the abbot for failing to maintain his wood at Houolt near Cholsey in a proper state of enclosure. The passages referring to this are omitted and their place is indicated by dots.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret predictum abbatem ad respondendum super premissis etc.

Et postea videlicet termino Pasche anno regni regis Henrici quarti post conquestum secundo coram ipso rege apud Westmonasterium venit predictus abbas per Iohannem Hulton' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare idem abbas regias vias predictas necnon viam et pontem predictos prout superius super ipsum presentatum est reparare et emendare non debeat . . . Idem abbas per attornatum suum predictum dicit quod . . . ipse nec predecessores sui abbates loci predicti regias vias predictas necnon viam et pontem predictos numquam reparavit nec de iure reparare consueverunt vel consuevit nec illos reparare mundare seu emendare de iure tenentur seu tenebantur prout per presentationes predictas supponitur et hoc paratus est verificare per patriam etc.

Et Thomas Couele qui sequitur etc. dicit quod predictus abbas et omnes predecessores sui abbates loci predicti regias vias predictas necnon viam et pontem predictos de iure reparare et emendare tenentur et tenebantur prout per dictam inquisitionem supponitur et hoc paratus est pro domino rege verificare per patriam : et predictus abbas similiter. Ideo veniat inde iurata coram domino rege a die sancte Trinitatis in xv dies ubicumque etc. et qui etc. ad recognoscendum. Idem dies datus est tam prefato Thome qui sequitur etc. quam prefato abbati per attornatum suum predictum etc. Et continuato inde processu per iuratas positas inde in respectum coram domino rege usque a die sancti Michaelis in xv dies anno regni regis Henrici quarti tercio nisi dilectus et fidelis domini regis Iohannes Hulle unus iusticiariorum ad placita etc. prius die sabbati proxima ante festum sancte Margarete virginis apud Redyng venisset : ad quam quidem quindenam sancti Michaelis coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum predictum et prefatus Iohannes Hulle iusticiarius coram quo etc. misit hic recordum veredicti iurate predicte coram eo habite in hec verba.

Postea die et loco infracontentis coram Iohanne Hulle iusticiario infra nominato associato sibi Iohanne Lopenford' per formam statuti etc. venit abbas de Redyng' infranominatus per attornatum suum infranominatum et iuratores similiter venerunt et facta proclamacione pupplica pro domino rege prout moris est quod si quis iusticiarium aut iuratores predictos de infracontentis informare vellet quod tunc veniret et audiretur et nullus venit : super quo processum est ad capcionem iurate predicte per iuratores prius inpanellatos et modo comparentes qui de assensu predicti abbatis ad hoc electi triati et

iurati dicunt super sacramentum suum quod . . . predictus abbas nec predecessores sui abbates loci predicti regias vias necnon viam nec pontem infraspacificatos unquam reparavit nec de iure reparare consueverunt vel consuevit nec regias vias necnon viam nec pontem predictam (*sic*) nec aliquem eorundem reparare emendare de iure tenentur seu tenebantur prout per presentaciones infracontentas supponitur. Ideo consideratum est quod idem abbas eat inde sine die salvo semper iure domini regis si quod etc.

Winterbrook is a hamlet about a mile south of Wallingford.

Tadesey is not named in the bounds of Cholsey given in Birch's *Cartularium Saxonicum*, vol. ii. p. 206.

The abbot of Reading held land in Ufton and Burghfield in the hundred of Theale and was lord of the hundred: but there appears to be no clear indication of the identity of the roads and bridge named.

VII.

DITCH AT WEST HAGBOURNE.

Presentment by jurors of Moreton hundred that a ditch at West Hagbourne is stopped with dirt so that the water leaves its course and overflows the common pasture of the town to the hurt of the community by default of Clarice Yerkes.

Ancient Indictments File 182 m. 22.

Hundredum de Mourton'.

Articulus. Iuratores hundredi predicti presentant quod . . . est quedam fossata apud Westhakeborne et est obstupata cum fimo quod aqua ibidem current' (*sic*) ob defectum mundacionis et scouracionis fossate predictae rectum cursum suum habere non potest, per quod quedam communia pastura ville predictae prope fossatam predictam adjacene' (*sic*) per refluxum aque predictae est inundata et destructa ad grave nocumentum tocius communitatis ville predictae: quam quidem fossatam Claricia Yerkes de iure reparare tenetur.

In 1401-2 Clariscia Wyndesore held a quarter of a knight's fee in West Hagbourne, Richard son of Brian de Wyndesore being a minor at the time.¹ She subsequently married John Yorke, who died in 1413. The manor had belonged to the family of Windsor since the Conquest.²

West Hagbourne Field is still named on the Ordnance map.

¹ *Feudal Aids*, i. 55

² Lysons, *Magna Britannia*, i. 284.

VIII.

BRIDGE AND CAUSEY AT MARCHAM.

1. Presentment by jurors of the hundred of Ock that a bridge called Horsbregg' at Marcham is broken by default of the abbot and convent of Abingdon.

2. Presentment in Michaelmas term, 1387, before the king at Reading that the king's highway between Marcham bridge and Abingdon called Marcham Cause is broken, hollow and ruinous by lack of repair and that the whole causey is within the lordship of the abbot of Abingdon, who is liable to repair it by reason of his tenure of land on either side; and that the said causey is dangerous in winter by default of the abbot of Abingdon, who and whose predecessors is and have been from time immemorial bound to clean the ditches on either side thereof by reason of their lordship of Abingdon and Marcham and of the land adjacent to the causey on either side.

Precept to the sheriff.

On the quinzaine of Easter, 1388, the aforesaid abbot came before the king at Westminster by John de Hulton, his attorney, and asked for a day on the quinzaine of Trinity.

The abbot then came by his attorney and protested that the said causey was not the king's highway, and said that Robert Bullok held three acres of land extending over the said causey for one furlong, containing one acre, Alan Godfrey held three acres, Geoffrey Wodeby half an acre, William Golafre seven acres, Richard Ford one acre, William Radle half an acre, Simon Harwe an acre and a half, Reynold Poue two acres and a half, the heirs of Doune half an acre, the abbot himself 12 acres and one rood extending for five furlongs, containing two acres of land and a piece of pasture, on the north of the said causey: William Golafre held one acre of pasture extending for one furlong and one acre of land and was lord of the soil of about two acres of pasture, in which John Horspath, tenant of the abbot of Abingdon, and all the tenants of Marcham had common of pasture, and one other common of pasture of one acre, in which all the free tenants of Abingdon above named had common of pasture, and one other pasture, three furlongs in length, each furlong containing one acre, on the south side of the said causey: and he said that the causey had been repaired by the alms of the country from time immemorial, and that John Bochard, John Balle and John Percyvale were successively called Bryggewryghtters and collected alms within and without the aforesaid county, namely twenty shillings from John Soutere and divers other goods and chattels given and bequeathed for the maintenance of the said causey and repaired the said causey with the aforesaid alms, without the abbot being liable for the repair of the said causey or its being broken by default of the abbot to clean the drains on either side: and this he is prepared to verify.

Edmund Brudenell, suitor for the king, did not acknowledge that the

aforesaid Robert and the others held as aforesaid or that the said causey was repaired with alms but that the abbot was liable by reason of his tenure ; and this he was prepared to verify.

A day was given on the octave of Trinity.

1. Ancient Indictments File 182 m. 9.

Hundredum de Okke.

Articulus. Iuratores ibidem presentant quod est quidam pons apud Marcham vocatus Horsbregg' et est defractus sicut quod homines ibidem transire non possunt : quemquidem pontem abbas et conventus de Abyndon de iure reparare et emendare tenentur ad grave nocumentum tocius patrie.

2. Coram Rege Roll, Easter, 11 Richard II. rex 17.

Beks' (sic). Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni Ricardi secundi undecimo coram domino rege apud Redyng' presentaverunt quod est quedam regia via et alta inter Mercheham brygge et villatam de Abyndon' vocata Mercheham Cauce quodquidem calcetum est defractus et concavum et multipliciter ruinosum ad nocumentum tocius patrie ob defectum reparacionis et sustentacionis eiusdem calceti et dicunt quod calcetum predictum est totaliter infra dominium abbatis de Abyndon' et quod idem abbas est tenens terrarum ex utraque parte calceti predicti adiacencium : quiquidem abbas dominus soli illius racione tenure sue predictae calcetum predictum quodcumque et quocienscumque necesse fuerit tenetur de iure facere reparare et emendare. Item presentant quod est quoddam calcetum inter Abyndon' et Mercham, quod calcetum est via regia et extendit inter villas predictas et est ita confractus ruinosum et inundatum quod nullus per viam predictam tempore yemali absque maximo periculo transire potest ob defectum mundacionis fossarum ex utraque parte eiusdem calceti et reparacionis eiusdem et quod abbas de Abyndon' predecessores et successores sui a tempore quo non extat memoria calcetum predictum inter villas predictas et fossata predicta reparare mundare et emendare (*sic*) tenentur pro eo quod predictus abbas est dominus predictarum villarum de Abyndon' et Mercham et soli ex utraque parte calceti predicti iniungenti inter villas predictas ad nocumentum tocius patrie.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatum abbatem ad respondendum etc.

Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege apud Westmonasterium venerunt predictus abbas per Iohannem de Hulton attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare calcetum predictum reparare mundare et emendare [non] tenetur : quiquidem abbas per attornatum suum predictum petit diem loquendi etc. usque a die sancte Trinitatis in xv dies ubicumque etc. et ei conseditur (*sic*) etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus nunc abbas per attornatum suum predictum et protestando quod non cognoscit predictum calcetum esse regiam nec altam etc. et dicit quod Robertus Bullok' tenet tres acras terre in diversis locis et fines earundem extendunt se super calcetum predictum in unum stadium continentem unam acram terre adiacentem in longitudine iuxta dictum calcetum, Alanus Godfrey tenet tres acras terre et fines earundem extendunt se super calcetum predictum, Galfridus Wodeby tenet dimidiam acram terre et fines eiusdem extendunt se super calcetum predictum, Willelmus Golafre tenet septem acras terre et fines earundem extendunt se super calcetum predictum, Ricardus Ford tenet unam acram terre et fines eiusdem extendunt se super calcetum predictum, Willelmus Radle tenet unam dimidiam acre terre et fines eiusdem extendunt se super calcetum predictum, Simon Harwe tenet unam acram terre et dimidiam et fines earundem extendunt se super calcetum predictum, Reginaldus Poue tenet duas acras terre et dimidiam et fines earundem extendunt se super calcetum predictum, heredes de Doune tenent dimidiam acram terre et fines eiusdem extendunt se super calcetum predictum et predictus nunc abbas tenet xij acras terre et unam rodam in diversis locis et fines earundem extendunt se super calcetum predictum quinque stadia et duas acras terre et unam parcellam pasture iacentem in longitudine iuxta calcetum predictum ex parte borienti (*sic*) causeti predicti : Willelmus Golafre tenet unam pasturam continentem unam acram terre in longitudine et iacet in longitudine iuxta calcetum predictum et unum stadium continentem in latitudine unam acram terre et iacet in longitudine iuxta calcetum predictum et est dominus soli unius pasture iacentis iuxta calcetum predictum in longitudine et continet in se circa duas acras per calcetum predictum in longitudine, in qua quidem pastura Iohannes Horspath' tenens predicti abbatis et omnes tenentes de Mercham habent communam pasture, unam aliam communam pasture continentem in longitudine unam acram et iacet in longitudine iuxta causetum predictum, in qua quidem pastura omnes libere (*sic*) tenentes de Abyndon' supranominati habent communam, et unam aliam pasturam continentem in longitudine tria stadia

et quodlibet stadium continet unam acram in longitudine et iacent in longitudine iuxta calcetum predictum ex parte australi eiusdem calceti : Et dicit quod a toto tempore quandocumque et quocienscumque necesse fuerit viam aut calcetum predicta emendari et reparari illa reparata et emendata fuerunt per elemosina (sic) patrie a tempore cuius contrarii memoria non existit et fuerunt quidam Iohannes Bochar^d Iohannes Balle et Iohannes Pereyvale quilibet eorum post alterum et vocabantur Bryggewryghtters et collexerunt diversas elemosinas infra comitatum predictum et extra, videlicet de quodam Iohanne Soutere xx solidos et de aliis hominibus diversa bona et catalla data et legata in auxilium reparacionis et sustentacionis eorundem vie et calceti, quiquidem Iohannes Bocher Iohannes Balle et Iohannes Pereyvale quilibet post alterum viam et calcetum predicta cum elemosinis predictis reparaverunt et emendaverunt absque hoc quod predictus abbas seu predecessores sui dictam viam et calcetum reparaverunt et emendaverunt et sustentaverunt seu fecerunt et absque hoc quod via et calcetum sunt contrafacta et ruinosa ob defectum mundacionis fossarum predicti abbatis ex utraque parte calceti predicti et hoc paratus est verificare : unde non intendit quod dominus rex ipsum de reparacione et emendacione calceti predicti occasionare velit etc. Et Edmundus Brudenell¹ qui sequitur pro domino rege dicit quod non cognoscit quod predictus Robertus et alii tenentes predicti tenent predictas terras et communam super calcetum predictum adiacentes nec quod calcetum predictum fuit reparatum et emendatum quando necesse fuerit per elemosinam prout predictus abbas placitando allegavit set dicit quod calcetum predictum est totaliter infra dominium predicti abbatis et quod idem abbas est tenens terre ex utraque parte calceti predicti adiacentis et idem abbas ratione tenure sue predictae calcetum predictum quandocumque et quocienscumque necesse fuerit tenetur illud de iure facere reparare et emendare prout superius super ipsum presentatum est : et hoc pro domino rege paratus est verificare. Et predictus abbas similiter.

Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato abbati etc.

Fuller¹ writes of 'causedways . . . which are bridges over dirt,' and his definition is borne out by the use of the term 'bryggewryghtters,' which does not appear in the *New English Dictionary*.

The family of Golafre were lords of the manor of Frilford in Marcham

¹ *Worthies*, i. 34.

in the reign of Henry VI.¹ and a tenement called Horspathe's is named in an account of the possessions of Abingdon abbey at the Dissolution.²

IX.

APPLEFORD BRIDGE.

Presentment by jurors of Ock hundred that Appleford bridge is broken by default of the abbot and convent of Abingdon.

Ancient Indictments File 182 m. 9.

Hundredum de Okke.

Articulus. Iuratores ibidem presentant . . . quod est quidam pons apud Appelford' iuxta molendinum vocatum Appelfordnell' et est defractus sic quod homines ibidem per dictum pontem peditando transire non possunt, quem quidem pontem abbas et conventus de Abyndon' de iure reparare et emendare tenentur, ad grave nocumentum tocius populi domini regis.

Although Appleford was anciently in the parish of Sutton Courtney, this is probably not the important bridge over the Thames between Sutton Courtney and Culham, which was not built until after 1416, but a smaller bridge between the villages of Appleford and Sutton Courtney.³

X.

ROAD AND BRIDGE AT SOUTHCOT.

1. Presentment in Michaelmas term, 1387, before the king at Reading that the king's road between Stokyingbrugge bridge and Southcot is stopped and flooded by default of Lawrence Dru of Southcot to clean an adjacent ditch and to repair the road.

Precept to the sheriff.

On Thursday 28 November the said Lawrence came before the king at Reading in person and acknowledged liability to clean the ditch and said that the ditch was now cleaned. He was amerced 3s. 4*l.* and the sheriff was ordered to distrain. As to the repair of the road he denied liability. Edmund Brudenell, suitor for the king, said that he was liable for the repair and he and the said Lawrence sought an enquiry by the country. A jury was summoned for the octave of Hilary.

2. Presentment, as above, that the bridge called Stokkyngbrugge is broken, flooded and ruinous by default of Lawrence Dru of Southcot.

Precept to the sheriff.

¹ Lysons, *Magna Britannia*, i. 315.

² Dugdale, *Monasticon*, i. 529.

³ Lysons, *Magna Britannia*, i. 221, 222.

On Tuesday 26 November the said Lawrence came before the king at Reading in person and acknowledged liability to repair the bridge and said that it was now repaired. He was amerced 3s. 4d. and the sheriff was ordered to distrain.

1. *Coram Rege Roll, Mich., 11 Richard II. rex 21.*

Berkes'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Redyng' presentaverunt quod est quedam regia via inter pontem de Stokyingbrugge et villam de Southcote [et] obstupatur et inundatur ob defectum mundacionis cuiusdam fossati eidem vie iuncti et quod Laurencius Dru de Southcote fossatum predictum mundare et viam predictam reparare tenetur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad respondendum etc.

Et modo scilicet die Iovis proxima post festum sancte Katherine isto eodem termino coram domino rege apud Redyng venit predictus Laurencius in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare et fossatum predictum mundare non debeat: qui dicit quod ipse non potest dedicere quin ipse fossatum predictum mundare tenetur et ulterius predictus Laurencius Dru dicit quod modo bene et sufficienter mundatum est. Set quia fossatum predictum tempore presentacionis predictae mundatum non fuit, ideo ipse in misericordia et afforiat per iusticiarios ad xl denarios. Et preceptum est vicecomiti quod non omittat etc. quin distringat eum per omnes terras etc. ita quod securus sit quod fossatum predictum ad plenum mundetur tociens quociens necesse fuerit etc. Et quoad reparacionem vie predictae predictus Laurencius dicit quod ipse non tenetur reparare viam predictam sicut super ipsum superius presentatum est et hoc paratus est verificare prout curia etc. Et Edmundus Brudenell' qui sequitur etc. dicit quod predictus Laurencius tenetur reparare viam predictam sicut super ipsum presentatum est et hoc petit quod inquiratur per patriam: et predictus Laurencius similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Hillarii ubicumque etc. qui etc. ad recognoscendum etc.

2. *Coram Rege Roll, Mich., 11 Richard II. rex 23d.*

Berkes'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Redyng' presentaverunt quod pons qui vocatur Stokyingbrugge est confractus et inundatus et

ruinosus ad grave dampnum tocius populi per pontem predictum transeuncium et quod Laurencius Dru de Southcote pontem predictum reparare et emendare tenetur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad respondendum etc.

Et modo scilicet die Martis proxima post festum sancte Katerine isto eodem termino coram domino rege apud Redyng' venit predictus Laurencius in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et emendare non debeat : qui dicit quod ipse non potest dedicere quin ipse pontem predictum reparare et emendare tenetur sicut super ipsum presentatum est et quod modo bene et sufficienter reparatus est : set quia pons predictus tempore presentacionis predicte reparatus non fuit ideo ipse in misericordia et afforatur per iusticiarios ad xl denarios. Et preceptum est vicecomiti quod non omittat quin distringat eum per omnes terras etc. ita quod securus sit quod pons predictus reparetur et emendetur tociens quociens necesse fuerit etc.

Southcote in Berkshire is in records either Southcot near Reading or Circourt near Wantage. In this case it is probably the former, and Stokkynbrugge may be one of the 'Seven Bridges' of Reading.

XI.

ROADS FROM NEWBURY TO WEST WOODHAY AND CHURCH SPEEN.

1. Presentment in Michaelmas term, 1387, before the king at Reading that the king's road between Newbury and West Woodhay is ruinous and flooded by default of the townships of Enborne and Hampstead Marshall.

Precept to the sheriff.

On Monday, 25 November, the said township of Enborne appeared before the king at Reading by its attorney, and acknowledged its liability and was amerced 3s. 4d. and the sheriff was ordered to distrain.

2. Presentment, as above, that the king's road between Newbury and Church Speen is ruinous and flooded by default of the township of Church Speen : presentment, as above, concerning the road between Newbury and West Woodhay.

Precept to the sheriff.

On Saturday, 25 April 1388, the aforesaid townships came before the king at Reading by John Hulton, their attorney, and acknowledged liability and were each amerced 2s. and the sheriff was ordered to distrain.

1. Coram Rege Roll, Mich., 11 Richard II. rex 23d.

Berkes'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Redyng' presentaverunt quod regia via inter Neubry et West Wodehay est ruinoso et inundata ad grave dampnum tocius populi per viam predictam transeuntis et quod villata de Enbourne simul cum villata de Hampstede Marchall' viam predictam reparare et emendare tenetur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatam villatam ad respondendum etc.

Et modo scilicet die Lune in festo sancte Katerine virginis isto eodem termino coram domino rege apud Redyng' venit predicta villata de Enbourne per attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare viam predictam simul cum prefata villata de Hampstede reparare et emendare non debeat sicut super ipsam presentatum est: qui dicit quod non potest dedicere quin ipsa viam predictam simul etc. reparare et emendare tenetur sicut super ipsam presentatum est: set quia via predicta tempore presentacionis predictae reparata non fuit ideo ipsa in misericordia et afforatur per iusticiarios ad xl denarios. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatam villatam de Enbourne simul etc. per omnes terras etc. ita quod securus sit quod via predicta ad plenum reparetur et emendetur tociens quociens necesse fuerit etc.

2. Coram Rege Roll, Easter, 11 Richard II. rex 19d.

Berkes'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis nunc undecimo coram domino rege apud Redyng' presentaverunt quod quedam via regia inter Neubery et Chirchespene est ruinoso et inundata ad grave dampnum tocius populi per viam predictam transeuntis et quod villata de Chirchespene viam predictam reparare et emendare tenetur. Item presentaverunt quod via regia inter Neubery et Westwodehay est ruinoso et inundata ad grave dampnum tocius populi per viam predictam transeuntis et quod villate de Enbourne et Hampstede Marchall' viam predictam reparare et emendare tenentur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eas ad respondendum etc.

Et modo scilicet die Sabbati proxima ante festum Apostolorum (sic) Philippi et Iacobi isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate per Iohannem Hulton' attornatum suum. Et quesitum est ab eis si quid pro se habeant vel

dicere sciant quare vias predictas reparare non debeant: qui dicit quod non possunt dedicere quin ipsi vias predictas reparare et emendare tenentur sicut super ipsas presentatum est. Ideo ipse in misericordia et afforiantur per iusticiarios videlicet villata de Chirchespene ij s. villata de Enbourne ij s. et villata de Hamstede Marchall' ij s. Et preceptum est vicecomiti quod non omittat etc. quin distringat eas per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod vie predictae ad plenum reparentur et emendentur tociens quociens necesse fuerit etc.

It appears on the face of the record that the township of Enborne was summoned twice on the same presentment and amerced the two sums of 3s. 4d. and 2s., and both ameracements are duly entered in the lists of fines and ameracements attached to the Michaelmas and Easter rolls respectively.

BUCKINGHAMSHIRE.

XII.

BRIDGE BETWEEN WOLVERTON AND BRADWELL.

Presentment in Trinity Term, 1351, before the king at Aylesbury that the bridge of Stanbrigge between Wolverton and Bradwell is broken and that the men of Wolverton and Bradwell are and have from time immemorial been liable for the repair of the bridge.

Precept to the sheriff.

On Friday, 8 July, the men of the said townships came before the king at Aylesbury in person, and said that neither they nor their ancestors were or had ever been so liable, and they and Simon Kegworth, suitor for the king, put themselves upon the country. A jury was summoned and came on Saturday, 9 July, and said that the said bridge was situate on the soil of the said townships, that it was in part ruinous and broken by default of the men of the said townships, and that the cost of the repair was 1s. As to the previous repair and maintenance, they said that divers men of the country had repaired and maintained it of their alms, and not the men of the said townships, and they said further that the men of the said townships were bound to repair and maintain it. Thereupon a day was given for judgment on the octave of St. Michael.

Coram Rege Roll, Trin., 25 Edward III. rex 16.

Buk'. Iuratores diversorum hundredorum comitatus Buk' isto eodem termino apud Aylesbury coram domino rege presentaverunt quod pons de Stanbrigge inter Wolverton' et Bradewell' dirutus est et contractus ad nocumentum et periculum omnium hominum per illum transeuncium et quod homines villatarum de Wolverton' et Bradewell' de iure pontem illum reparare tenentur et a tempore quo memoria non existit pontem illum reparare et sustentare consueverunt.

Per quod preceptum fuit vicecomiti quod venire faceret homines villatarum predictarum coram domino rege ad respondendum domino regi super premissis etc.

Et modo scilicet die Veneris proxima post octabas Sancti Iohannis Baptiste isto eodem termino coram domino rege apud Aylesbury venerunt homines villatarum predictarum in propriis personis suis

et allocuti sunt si quid pro se dicere sciant quare predictum pontem facere et reparare non debeant: qui dicunt quod ipsi pontem illum facere seu reparare non tenentur nec quod ipsi aut aliquis antecessorum suorum hominum predictarum villatarum aliquo tempore pontem illum fecerunt reparaverunt seu sustentaverunt sicut superius presentatum est et hoc parati sunt verificare per patriam etc. Et Simon de Kegworth' qui sequitur pro domino rege similiter. Ideo veniant inde iuratores coram domino rege hic die sabbati proxima post festum Translacionis sancti Thome Martiris et qui nec etc. Ad quem diem coram domino rege ibidem venerunt homines villatarum predictarum et similiter iuratores venerunt: qui electi triati et iurati dicunt super sacramentum suum quod predictus pons de Stanbrigge situatus est super solum predictarum villatarum de Wolverton' et Bradwell', quod in parte ruinosus est et defractus ob defectum hominum villatarum predictarum et quod pontem illum reparare et sustentare tenentur eo quod pons ille super solum suum ut predictum est situatur; et dicunt quod defectus eiusdem pontis nunc reparari possunt pro duodecim denariis. Requisiti iuratores qui pontem illum ante hec tempora reparaverunt et sustentaverunt qui (*sic*) dicunt quod diversi homines patrie pontem illum reparaverunt et sustentaverunt de sua elemosina et non homines earundem villatarum: et dicunt ulterius quod homines villatarum predictarum pontem illum reparare tenentur et sustentare ut predictum est. Et super hoc datus est eis dies de audiendo inde iudicio suo coram domino rege in octabis sancti Michaelis ubicumque etc.

XIII.

BRIDGES AT LONG CRENDON.

Presentment in Trinity term, 1351, before the king at Aylesbury that the bridges between Crendon and Thame are weak, broken, and dangerous by default of the men of Crendon.

Precept to the sheriff.

On Saturday, 2 July, the men of the said township came before the king at Aylesbury by Robert de Haverbergh their attorney, and expressly acknowledged their liability and were in mercy, and a writ of *distringas* was issued returnable on the octave of Michaelmas.

Coram Rege Roll, Trin., 25 Edward III. rex 17d.

Buk'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Aylesbury presentaverunt

quod pontes inter Crendon' et Thame debiles sunt dirruti et contrafacti ac periculosi omnibus hominibus ibidem transeuntibus: qui quidem pontes per homines villate de Crendon' de iure debent reparari et a tempore cuius contrarii memoria non existit per homines eiusdem villate reparari et sustentari consueverunt.

Per quod preceptum fuit vicecomiti quod venire faceret homines villate predictae ad respondendum domino regi super premissis etc.

Et modo scilicet die Sabbati proxima post festum Nativitatis sancti Iohannis Baptiste isto eodem termino coram domino rege apud Aylesbury venerunt homines villate predictae per Robertum de Haverbergh' attornatum suum et allocuti sunt si quid pro se dicere sciant quare predictos pontes facere reparare et sustentare non debeant: qui dicunt quod non, set expresse cognoscunt quod homines predictae villate de Crendon' pontes predictos reparare tenentur facere et sustentare sicut superius presentatum est. Ideo homines eiusdem villate in misericordia etc. Et distringantur ad pontes predictos reparandos faciendos et sustentandos etc. Et qualiter etc. vicecomes scire faciat domino regi in octabis sancti Michaelis ubicumque etc.

These bridges appear to be the bridges known as Thame bridges which form the boundary between the two parishes and between the two counties of Buckingham and Oxford, the northern part of the bridge being in the former county.¹

XIV.

OLNEY BRIDGE.

Presentment in Trinity term, 1351, before the king at Aylesbury that Olney bridge is broken by default of the men of Olney.

Precept to the sheriff.

On Friday, 8 July, the men of the said township came in person before the king at Aylesbury and acknowledged their liability, and said that the bridge was not broken by their default and sought the verdict of the country. Simon Kegworth, suitor for the king, did likewise. A jury of the vicinage of Olney came and said that the bridge was broken by default of the men of the aforesaid township, who were in mercy. A writ of *distringas* was issued returnable on the octave of St. Michael.

Coram Rege Roll, Trin., 25 Edward III. rex 26.

Buk'. Iuratores diversorum hundredorum comitatus Buk' coram domino rege apud Aylesbury hoc eodem termino sancte Trinitatis presentaverunt quod pons de Olneye dirrutus est et contrafactus ad

¹ Lipscomb, *County of Buckingham*, i. 211.

magnum periculum omnium hominum per illum transeuncium et quod homines villate de Olneye tenentur illum pontem reparare et a tempore quo non extat memoria semper hucusque reparaverunt et sustentaverunt.

Per quod preceptum fuit vicecomiti quod venire faceret homines villate predictæ etc. ad respondendum.

Et modo scilicet die Veneris proxima post festum Translacionis sancti Thome Martiris coram domino rege apud Aylesbury venerunt homines villate predictæ in propriis personis suis et allocuti si quid pro se habeant vel dicere sciant quare predictum pontem reparare et sustentare non debeant; qui dicunt quod non possunt dedicere quin pontem illum reparare et sustentare teneantur et dicunt quod pons ille ob eorum defectu (*sic*) non est dirutus et confractus sicut superius presentatum est et hoc parati sunt verificare per patriam etc. Et Simon de Kegworth' qui sequitur pro domino rege similiter. Ideo fiat inde iurata etc. Iurata de visneto de Olneye venit, qui electi triati et iurati dicunt super sacramentum suum quod predictus pons dirutus est et confractus in defectu hominum villate predictæ et quod iidem homines pontem illum reparare et sustentare tenentur. Ideo ipsi in misericordia: et distringantur ad pontem illum reparandum et sustentandum etc. et qualiter etc. vicecomes scire faciat domino regi in octabis sancti Michaelis ubicumque etc.

An entry in the Olney parish register states that Olney bridge was built in 1619¹; but this is not inconsistent with the existence of an earlier bridge at the same spot.

XV.

WALTON STREET, AYLESBURY.

1. Presentment by jurors of the three hundreds of Aylesbury that whereas Richard II. granted William Caldecote of Aylesbury a toll of a penny on every loaded cart with irons, a halfpenny from every loaded cart without irons and a farthing from every horse carrying goods for sale that should pass along Walton Street which leads from Walton to Aylesbury, for the maintenance of the said road, and that, whereas the said William so received in 11 Richard II. over and above the sum spent on the repair of the road 2*ls.*, which remain in his hands, the road is flooded and dangerous by his default.

Similar presentment that whereas John Dod of Aylesbury was granted the aforesaid toll, and retained in his hands £11 16*s.* 8*d.* over and above the sum spent on the repair of the road in 12 Richard II., the road is flooded and dangerous by his default.

¹ Lipscomb, iv. 310.

2. Presentment that whereas by virtue of the aforesaid grant the said John should have collected a halfpenny from every loaded cart and a farthing from every horse bearing merchandise to repair the aforesaid road, and between Easter 12 Richard II. (18 April 1389) and the following Easter took ten marks from Robert Manspec, Robert Banet, John Hewes and others, the road is still broken by his default.

1. Ancient Indictments File 5 m. 6.

Tria hundreda de Aylesbery.

Per Iohannem Sampton et socios suos.

Iuratores hundredorum predictorum presentant quod ubi dominus rex nunc concessit Willelmo Caldecote de Aylesbury literas suas patentes ad levandum de qualibet carecta ferrata carcata j denarium, de qualibet carecta nuda carcata obulum et de quolibet equo onerato cum aliqua re venali quadrantem venientibus per viam que vocatur Waltonstrete que ducit a villa de Walton' usque villam de Aylesbury pro via predicta sustentanda emendanda et reparanda quodcumque necesse fuerit dictusque Willelmus recepit de diversis hominibus per viam illam cum carectis et equis in forma predicta venientibus virtute literarum domini regis predictarum in anno regni regis Ricardi secundi undecimo ibidem ultra summas circa reparacionem vie predictae per eundem Willelmum expensas xxiiij solidos, quiquidem xxiiij solidi remanent in manibus predicti Willelmi reparacioni vie predictae non soluti, et predicta via submersa est et inundata in defectu predicti Willelmi, quod nullus parcium illarum ibidem transire potest absque maxime (*sic*) mortis periculo ad grave nocumentum tocius patrie.

Item presentant quod ubi dominus rex nunc concessit Iohanni Dod de Ailesbury literas suas patentes ad levandum de qualibet carecta ferrata carcata j denarium de qualibet carecta nuda carcata obulum et de quolibet equo onerato cum aliqua re venali quadrantem venientibus per viam que vocatur Waltonstret que ducit a villa de Walton' usque villam de Ailesbury pro via predicta sustentanda emendanda et reparanda quodcumque necesse fuerit dictusque Iohannes in anno regni regis Ricardi secundi duodecimo ibidem recepit de diversis hominibus per viam illam cum carectis et equis in forma predicta venientibus virtute literarum domini regis predictarum ultra summas circa reparacionem vie predictae per eundem Iohannem expensas xj libras xvj solidos viij denarios, quiquidem denarii remanent in manibus predicti Iohannis reparacioni vie predictae non soluti et predicta via submersa est et inundata in defectu predicti Iohannis quod nullus

parcium illarum transire potest absque maxime (*sic*) mortis periculo ad grave nocumentum tocius patrie.

2. Ancient Indictments File 5 m. 7.

Iuratores presentant quod ubi dominus rex nuper per litteras suas patentes concessit Iohanni Dod de Aylysberi quod ipse colligere debuisset de qualibet caretta carcata obulum et de quolibet equo cum marcandis onerato quadrantem ad faciendam et reparandam quandam viam inter Aylysbery et Walton' vocatam Waltonstret in parochia de Aylysbery et quod ipse viam predictam cum pecunia predicta in anno regni regis Ricardi secundi duodecimo facere et emendare debuisset, quiquidem Iohannes a festo Pasche anno supradicto usque ad festum Pasche tunc proximo sequentis apud viam predictam cepit de Roberto Manspec Roberto Banet Iohanne Hewes et aliis diversis hominibus cum diversis mercandis ibidem venientibus cepit (*sic*) virtute literarum predictarum ad summam x marcarum: quequidem via adhuc diruta est et confracta in defectu ipsius Iohannis in domini regis contemptum et grave nocumentum tocius patrie.

Walton is a suburb of Aylesbury and Walton Street is one of the main roads towards London. At this time the repair of Walton Bridge was also causing difficulties and was aided by grants.¹

A cart with irons means with iron-bound wheels, as this formed a usual distinction between light and heavy carts.²

The grants to Caldecote and Dod do not appear to be enrolled on the Patent Rolls.

XVI.

ROAD AT ASTON CLINTON.

Presentment by jurors of the three hundreds of Aylesbury that the king's road between Aston Clinton and Stokynbrygge bridge is flooded and dangerous by default of Philip de la Vache knight to scour and clean the ditches between his manor of Aston Clinton and the aforesaid road.

Ancient Indictments File 5 m. 6.

Tria hundreda de Aylesbery.

Per Iohannem Sampton et socios suos.

Iuratores hundredorum predictorum . . . presentant quod quedam via regia inter Aston' Clynton' et quendam pontem vocatum Stokynbrygge submersa est et inundata ita quod nullus parcium illarum

¹ *Calendar of Patent Rolls, 1381-1385, p. 372; 1385-1389, p. 445.*

² *Murray, N.E.D. : s.v. Iron bound.*

ibidem absque maximo mortis periculo transire potest pro defectu escuracionis et mundacionis fossatarum inter manerium Philippi de la Vache chivaler in Aston' Clynton' et predictam viam regiam, quas quidem fossatas predictus Philippus et omnes tenentes manerii predicti a tempore quo non extat memoria escurarunt et mundaverunt.

Vatche's Farm continues the name of the holders of the manor of the Vaches, which was situated on the western boundary of the parish of Aston Clinton.¹ A small stream ran close by the manor house and was used to form the moat.²

XVII.

ROAD AT NEWPORT PAGNELL.

Presentment by jurors of the three hundreds of Newport that the king's road at Newport leading to Fenny Stratford is flooded by default of Nicholas Fuller, tenant for life of a fuller's mill of Thomas Harecourt, to enclose the pond of the said mill.

Ancient Indictments File 5 m. 18.

Adhuc De tribus hundredis de Neuport.

Iuratores hundredorum predictorum . . . presentant quod quedam via regia apud Neuport que ducit a predicta villa de Neuport versus villam de Feny Stretford' submersa est et inundata in defectu clausure stagni cuiusdam molendini fullaritici in Neuport, quod quidem molendinum Nicholaus Fuller de Neuport tenet de Thoma Harecourt ad terminum vite sue: quod quidem stagnum predictus Nicholaus tenetur includere quandocumque necesse fuerit durante termino suo predicto et non est inclusum ad nocumentum tocus patrie etc.

The barony of Newport Pagnell appears to have been at this time in the hands of Thomas Harecourt by virtue of his marriage with Alice widow of John de Bottetourt.³ The proceedings in the King's Bench are enrolled on Coram Rege Roll, Easter, 13 Richard II., *rex 1 d*, wherein Nicholas Fuller acknowledges liability and is amerced 2s.

XVIII.

BRIDGE NEAR THORNBOROUGH.

Presentment in Michaelmas term, 1389, before the king at Wycombe that a bridge called Totisbrigge in Thornborough, Leckhampstead and Foxcott is broken by default of the master of St. John the Baptist's hospital,

¹ Lipscomb, ii. 86, 87.

² *Victoria County History*, ii. 312.

³ Lipscomb, iv. 276.

Oxford, to repair the foot of the bridge and one arch on the side of Thornborough, and of the men of Leckhampstead and Foxcote to repair the foot and two arches on the side of their townships.

Precept to the sheriff.

On Tuesday, 19 October, before the king at Westminster the said master appeared in person and denied that he or any of his ancestors or predecessors had at any time repaired or maintained any part of the said bridge; Edmund Brudenell, suitor for the king, said that the master and his predecessors were always bound to repair and maintain the foot and one arch of the bridge; and he and the aforesaid master sought an enquiry by the country. A jury was summoned for the morrow of All Souls and the said master put in his place John de Hulton.

After postponements the aforesaid master came before the king at Westminster on the quinzaine of Easter, 1390, and William Thirnyng, the justice before whom the cause came by writ of *nisi prius*, brought the record of the verdict of a jury as follows: Afterwards before William Thirnyng and John Chastillon came the aforesaid master by his attorney, and the jurors came and said upon their oath that neither the said master nor his predecessors were bound by reason of their land and tenements in Thornborough to repair or maintain any part of the said bridge. A day to hear judgment was given on the octave of St. Michael.

Coram Rege Roll, Mich., 14 Richard II. rex 7.

Buk'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis nunc tercio decimo coram domino rege apud Wycombe presentaverunt quod est quidam pons qui vocatur Totisbrigge in villa de Thorneburgh' Lekhampstede et Foxcote et est ruinosus et defractus ad grave nocumentum tocius populi ibidem transeuntis: quem quidem pontem magister hospitalis sancti Iohannis Baptiste de Oxonia et homines villate de Lekhampstede et Foxcote de iure reparare tenentur videlicet predictus magister tenetur reparare pro terris et tenementis suis in Thornburgh' pedem pontis predicti ex parte ville de Thornburgh' cum uno arche dicto pedi annexato et predicti homines villatarum de Lekhampstede et Foxcote tenentur reparare alium pedem dicti pontis cum ij aliis arches dicto pedi annexatis ex parte dictarum villatarum de Lekhampstede et Foxcote, quem quidem pontem ut predictum est predicti magister et homines villate de Lekhampstede et Foxcote predictae et antecessores sui a tempore quo non exstat memoria facere consueverunt et ad huc de iure facere reparare et sustentare tenentur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eos ad respondendum etc.

Et modo scilicet die Martis proxima post quindenam sancti Michaelis

isto eodem termino coram domino rege apud Westmonasterium venit predictus magister in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pedem pontis predicti ex parte ville de Thornburgh' cum uno arche dicto pedi annexato ut predictum est reparare non debeat: qui dicit quod ipse non tenetur reparare pedem pontis predicti cum uno arche dicto pedi annexato nec aliquem archem sive aliquam parcellam pontis predicti nec quod ipse nec antecessores sui sive predecessores sui pedem pontis predicti cum predicto arche sive aliquem archem sive aliquam parcellam pontis predicti aliquo tempore preterito reparare vel sustentare consueverunt prout super ipsum superius presentatum est et hoc paratus est verificare. Et Edmundus Brudenell' qui sequitur pro domino rege dicit quod predictus magister tenetur reparare pedem pontis predicti cum uno arche et quod ipse et predecessores sui a tempore quo non extat memoria ea reparare et sustentare consueverunt et adhuc reparare et sustentare de iure tenentur et hoc pro domino rege paratus est verificare et petit quod inquiratur per patriam: et predictus magister similiter. Ideo veniat inde iurata coram domino rege in crastino Animarum ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato magistro etc. Et super hoc ponit loco suo Iohannem de Hulton' in placito predicto etc.

Postea continuato inde processu per iuratas positas in respectum coram domino rege versus prefatum magistrum usque a die Pasche in xv dies tunc proximo sequentis ubicumque etc. nisi dilectus et fidelis domini regis Willelmus Thirnyng' unus iusticiariorum ipsius regis de communi Banco prius die Martis proxima ante festum Pasche apud Stony Stratford' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefato iusticiario ad prefatos diem et locum si etc. Idem dies datus est prefato magistro etc. Ad quem diem coram domino rege apud Westmonasterium venit predictus magister per attornatum suum predictum et Willelmus Thirnyng' iusticiarius coram quo etc. misit recordum veredicti iurate predictae coram eo habite in hec verba:

Postea die et loco infracontentis coram Willelmo Thirnyng' infranominato associato sibi Iohanne Chastilon' clivaler per formam statuti etc. venit magister hospitalis sancti Iohannis Baptiste de Oxonia infranominatus per attornatum suum infranominatum et iuratores similiter venerunt et super hoc facta publica proclamacione prout moris est siquis pro domino rege prosequi calumpniare informare sciret vel vellet dictos iuratores super infracontentos quod tunc veniret

ibidem eosdem iuratores plenius informando. Et pro eo quod nullus venit iuratores super infracontenti electi triati et iurati dicunt super sacramentum suum quod predictus magister **non** tenetur reparare pedem pontis predicti pro terris et tenementis suis in Thornburgh' ex parte ville de Thornburgh' nec quod ipse nec antecessores sui sive predecessores sui pedem pontis predicti cum predicto arche sive aliquem archem sive aliquam parcellam pontis predicti aliquo tempore preterito reparare vel sustentare consueverunt prout super ipsum infra presentatum est. Et super hoc dies datus est predicto magistro coram domino rege usque in octabas sancti Michaelis ubicumque etc. ad audiendum iudicium etc.

CAMBRIDGESHIRE.

XIX.

CAMBRIDGE BRIDGE.

1. Presentment in Michaelmas term, 1338, before the king at Cambridge that the abbot of Eynsham holds land in Histon, and Henry de Bokesworth and Robert le Busteler knight in the hundred of Papworth and elsewhere in Cambridgeshire charged with the repair of Cambridge bridge, which is now broken by their default.

Precept to the sheriff.

On the quinzaine of Easter, 1339, the abbot made default and the aforesaid Henry and Robert came in person and Robert said that he held no land in the said county so charged; and he and John de Lincoln', suitor for the king, put themselves upon the country. The sheriff was ordered to have a jury of 24 before the king on the octave of Trinity, when Henry came and said that he held divers lands and tenements in the county whereby he was chargeable for his portion of the repair of the said bridge but that John de Coupland parson of Elsworth held six virgates in Conington and that John de Elsworth' held land in Conington, Henry de Colevill in Lolworth and Stanton, Thomas Chamberlayn in Landbeach, Richard de Grantese in Oakington, George de Brumpton in Drayton, Hugh son of Simon in Caxton, and Henry Alueue in Drayton and Lolworth, all of whom are bound to repair the said bridge, and he sought a writ to cause them to come before the king on the said octave of Trinity to show cause why they are not bound, in their portions, to repair the said bridge. He was granted the writ and he and the aforesaid Robert put in their place Stephen de Caumbrigge.

Afterwards on the quinzaine of St. John the Baptist the aforesaid John de Coupland and the others appeared in person and John de Coupland said that he held four virgates in Conington, John de Ellesworth said that he held one hide in Conington, Henry de Colevill two hides in demesne in Lolworth and Stanton, Thomas Chamberlayn two hides in Landbeach, Richard de Grantsete twenty acres of land and two of meadow in Oakington, George de Brumpton three hides in Dry Drayton, Henry Alueue one hide and a half in Dry Drayton and Lolworth, and they severally said that they were liable in proportion to their tenures aforesaid to repair the bridge but that William de la Hay held five hides in Papworth Everard, Richard Fraunceys and the prior of Huntingdon seven virgates in Papworth Agnes, Richard Pygasse one virgate in Over, John de Goldyngton and Alan de Buxhille four hides in

Eltisley, Robert de Cahain two hides and a half in Stanton, Katherine de Childerlee and Richard de Lyouns three hides in Childerley, John de Insula two hides in Westwick, the prior of Barnwell one hide and a half in Dry Drayton, the tenants of Robert de Beche's land hold one hide and a half in Hardwicke, Hugh Haukyn half a knight's fee in Bourn, Richard Fynor one virgate in Eversden, Philip de Barton and William Crocheman one hide in Caldecote, the heirs and tenants of John de Elyngton's lands one hide in Caldecote, Richard de la Vache, John Bretoun and his parceners seven hides in Barton, the tenants of Robert Eyr's lands forty acres in Grantchester, Henry de Stanton one virgate in Whittlesford, and Joan late the wife of Edmund Perers five hides and a half,¹ that the community of Cambridge was bound to repair one head of the bridge toward St. Clement's church and that the tenants of the lands that were the abbot of Neville's hold one hide in Swavesey, whereby they were severally in their proportions bound to repair the said bridge: and John and the others sought a writ to cause William and the others to come before the king. The sheriff was ordered to distrain John de Coupland and the others who have acknowledged their liability.

2. Mandate to Thomas Shardelowe by close writ² to this effect: Whereas the king, having heard that manifest error has intervened in the process and judgment of a suit before him and Gilbert Bernard assigned to survey and repair Cambridge bridge between Alice Dabernoun and Robert Burstler,³ upon a presentment that they were both bound to repair the said bridge, to the damage of the said Robert, ordered the said Thomas to send the record and process of the said suit, if judgment had been rendered, on a day past, whereof nothing has been done, the said Thomas is again ordered to send the record and process aforesaid, if judgment has been rendered, to the king on the octave of the Purification that the king may cause action to be taken thereon according to the law and custom of the kingdom, and if there be any reason why such record should not be sent to certify the king thereof in his chancery. Witness the king at Westminster, 28 January 1366-7.

Record and process above named of pleas at Cambridge before Thomas de Shardelowe and his fellows, justices to enquire concerning the defects of the great bridge there on Monday, 27 June 1362.

Presentment that four hides in Duxford owe pontage for the repair of the said bridge and are held by Robert Brusteler knight, Alice Daubirnon, Ralph Codlyng, John Moigne and William de Bedeford, who with the other pontagers of the county are liable for the repair of the said bridge, which is now broken and dangerous.

Precept to the sheriff.

On Monday, 30 May 1363, Alice, Ralph, John and William came and said that they held no lands owing pontage but that Robert Brustelere was sole tenant of the aforesaid four hides; they sought to be discharged and brought

¹ Probably in Eversden. See *Feudal Aids*, i. 169, 188.

² Not enrolled on the Close Rolls.

³ There are many variants of this name in the records, some beginning with *Bu-* and others with *Brr-*. See *Feudal Aids*, i. 512, s.v. Burstler.

the king's writ to this effect: Whereas Thomas de Shardelowe and Gilbert Bernard and others have been assigned to survey and enquire concerning the defects of Cambridge bridge and to cause those who should be found liable to be distrained to repair the said bridge, and whereas the said Alice, Ralph John and William have shewn that Robert Brusteler¹ knight is sole tenant of the four hides chargeable for the said repair, the aforesaid Thomas and Gilbert are ordered to hear the complaint of the said Alice, Ralph, John and William, and to call the aforesaid Robert before them and, if it shall be found that Robert is sole tenant of the said four hides, to compel him to contribute to the repair of the said bridge and to demand the release of the distress made upon Alice and the others. Witness the king at Westminster, 8 May 1363. Whereupon the aforesaid Alice and the others claimed a verdict.

Precept to the sheriff to summon Robert Bustelere.¹

On Thursday, 31 August, Robert came and said that he holds fifteen acres only of the aforesaid four hides and that Alice and the others hold the remainder: and both he and the said Alice and the others seek a verdict.

Precept to the sheriff to summon a jury of 24 of the vicinage of Duxford.

After postponements on Monday, 23 June 1365, the parties aforesaid and a jury came before the said justices and the jury said that the said Robert is sole tenant of the aforesaid four hides. Therefore the said Robert is to be charged henceforth for the repair of the said bridge in the proportion of the said four hides and the said Alice, Ralph, William and John are discharged and quit thereof.

3. Writ of *certiorari* dated 7 November, 4 Henry IV., to John Rome and others the late king's justices to enquire concerning Cambridge bridge.

Inquisition taken before the said justices, 7 March 1398, wherein it is found that Thomas de Skelton, knight, Nicholas Parys and parceners hold four hides in Duxford, whereby they are bound to contribute to the repair of the great bridge of Cambridge.

1. Coram Rege Roll, Easter, 22 Edward III. 36.

Cantebr'. Alias scilicet termino Michaelis anno domini regis nunc duodecimo apud Cantebr' coram domino rege presentatum fuit quod abbas de Eynesham Henricus de Bokesworth' et Robertus le Bustler miles tenent diversas terras per hidas videlicet predictus abbas in Histon' et predicti Henricus et Robertus in hundredo de Pappeworth' et alibi in comitatu Cantebr' oneratas ad reparandum pontem ville Cantebr' quociens necesse fuerit: qui quidem pons ruinosus est et confractus ad nocumentum et periculum omnium ibidem transire volencium pro defectu ipsorum abbatis Henrici et Roberti qui pontem predictum non reparaverunt nec sustentarunt ut tenentur.

Per quod preceptum fuit vicecomiti quod venire faceret coram domino rege prefatos abbatem Henricum et Robertum ad respondendum

¹ See p. 33, note 3.

domino regi super premissis et quod essent coram domino rege a die Pasche in xv dies ubicumque etc.

Et modo veniunt coram domino rege predicti Henricus et Robertus in propriis personis suis venerunt (*sic*) et predictus abbas non venit, cuius quidem defalta intratur inter placita regis inter rotulos de isto eodem termino : et predicti Henricus et Robertus singillatim allocuti qualiter se velint super premissis acquietare, predictus Robertus dicit quod ipse non tenet aliqua terras seu tenementa in comitatu predicto per que ipse pontem predictum reparare tenetur sicut in presentacione predicta supponitur et de hoc ponit se super patriam : et Iohannes de Lincoln' qui sequitur pro domino rege similiter. Ideo quo ad hoc preceptum est vicecomiti quod venire faciat coram domino rege in octabis sancte Trinitatis ubicumque etc. xxiiij etc. ad recognoscendum etc. et qui nec etc. quia tam etc. Et predictus Henricus dicit quod ipse tenet diversa terras et tenementa in comitatu pro quibus ipse pontem predictum pro porcione sua reparare tenetur set dicit quod quidam Iohannes de Coupland' persona ecclesie de Ellesworth' tenet sex virgatas terre cum pertinenciis in Cunyngton' et quidam Iohannes de Elsworth' tenet in Cunyngton' etc. et quidam Henricus de Colevill' tenet in Lolleworth' et Stanton' etc. et quidam Thomas Chamberlayn tenet in Landbeche etc. et quidam Ricardus de Grantsete tenet in Hokyton' etc. et quidam Georgius de Brumpton' tenet in Drayton etc. et quidam Hugo filius Simonis tenet in Caxton' etc. et quidam Henricus Alueue tenet in Drayton' et Lolleworth' etc., qui pontem predictum de iure reparare tenentur : et petit breve de venire faciendo predictos Iohannem de Coupland' et alios quod sint coram domino rege ad prefatas octabas ubicumque etc. ad ostendendum quare ipsi pontem predictum pro tenementis que ipsi tenent pro porcione sua reparare non debeant etc. Habeat etc. Et super hoc predicti Henricus et Robertus ponunt loco suo Stephanum de Caumbrigg' in placito predicto.

Postea a die sancti Iohannis Baptiste in xv dies tunc proximo sequente venerunt predicti Iohannes de Coupland Iohannes de Ellesworth' Henricus de Colevill' Thomas Chamberleyn Ricardus de Grantsete Georgius de Brumpton' et Henricus Alueue in propriis personis suis et singillatim allocuti quas terras et que tenementa predicti Iohannes de Coupland' et alii tenent pro quibus ipsi pontem predictum reparare tenentur idem Iohannes de Coupland dicit quod ipse tenet quatuor virgatas terre cum pertinenciis in Conyngton' Iohannes de Ellesworth' dicit quod ipse tenet unam hidam terre in eadem villa Henricus de Colevill' tenet in Lolleworth' et Stanton' duas hidas terre in dominico et

Thomas Chamberlayn' tenet duas hidas terre in Landbeche Ricardus de Grantsete dicit quod ipse tenet viginti acras terre et duas acras prati cum pertinenciis in Hokyton' Georgius de Brumpton' tenet tres hidas terre cum pertinenciis in Drye Drayton' Henricus Alueue tenet unam hidam terre et dimidiam in Drye Drayton' et Lolleworth'; et singillatim dicunt quod ipsi pro porcionibus tenure sue quas ipsi sic separatim tenent parati sunt ad reparandum pontem predictum et de iure tenentur set dicunt quod quidam Willelmus de la Hay tenet quinque hidas terre in Pappeworth' Everard' Ricardus Fraunceys et prior de Huntyngdon' tenent septem virgatas terre in Pappeworth Agneys Ricardus Pygasse tenet unam virgatam terre in Overe Iohannes de Goldyngton' et Alanus de Buxhille tenent quatuor hidas terre in Eltesle Robertus de Cahain tenet duas hidas terre et dimidiam in Stanton Katerina de Childerlee et Ricardus de Lyouns tenet tres hidas terre in Childerlee Iohannes de Insula tenet duas hidas terre in Westwyk' prior de Bernewelle tenet unam hidam terre et dimidiam in Drye Drayton' tenentes terre qui fuerunt (*sic*) Roberti de Beche tenent in Herdwyk' unam hidam terre et dimidiam Hugo Haukyn tenet in Brunne dimidium feodum unius militis Ricardus Fynor tenet in Everesdon' unam virgatam terre Philippus de Barton' et Willelmus Crocheman tenent unam hidam terre in Caldecote heredes et tenentes terrarum que fuerunt Iohannis de Elyngton' tenent unam hidam terre in Caldecote Ricardus de la Vache Iohannes Bretoun et participes sui tenent septem hidas in Berton' tenentes terrarum Roberti Eyr tenent in Grancestre quadraginta acras terre Henricus de Stanton' tenet in Whytleford' unam virgatam terre Iohanna que fuit uxor Edmundi Perers tenet quinque hidas terre et dimidiam comunitas ville Cantebr' tenetur reparare unum capud pontis predicti versus ecclesiam sancti Clementis Cantebr' tenentes terrarum que fuerunt abbatis de Nevyle tenent unam hidam terre in Swaveseye pro quibus ipsi pro tenenciis suis tenentur reparare predictum pontem et petunt breve pro domino rege de venire faciendo ipsos Willelmum de la Hay et alios etc. coram domino rege etc. ad reparandum pontem predictum simul etc. : et eciam preceptum est vicecomiti quod distringat predictos Iohannem de Coupland' et alios qui superius cognoverunt ad reparandum pontem predictum per omnes terras etc. et quod de exitibus etc. et qualiter etc. vicecomes scire faciat domino regi ad prefatum terminum etc.¹

¹ The process is continued on *Coram Rege Roll*, Mich., 22 Edw. III. rex 53: the sheriff returned that William de la Hay, Richard Franceys and the others named above did not come before the king on the morrow of St. Martin and were attached

2. *Coram Rege Roll, Hil., 40 Edward III. rex 17.*

Dominus rex mandavit Thome de Shardelowe breve suum clausum in hec verba : Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie dilecto et fideli suo Thome de Shardelowe salutem. Cum, nuper accipientes in recordo et processu ac eciam in reddicione iudicii loquele que fuit coram vobis et Gilberto Bernard' ad pontem de Cantebrigg' qui dirutus extitit et confractus supervidendum et ad pontem illum reparari et emendari faciendum assignatis per breve nostrum inter Aliciam Dabernoun et Robertum Burstler super quadam presentacione coram vobis facta, per quam pretendebatur tam ipsum Robertum quam dictam Aliciam ad reparacionem et emendacionem pontis predicti teneri, errorem intervenisse manifestum ad grave dampnum ipsius Roberti, vobis mandaverimus quod si iudicium inde redditum esset tunc recordum et processum loquele predictae cum omnibus ea tangentibus nobis sub sigillo vestro distincte et aperte ad certum diem iam preteritum mitteretis, de quo nichil hactenus facere curastis, unde plurimum conturbamur, vobis adhuc mandamus sicut alias mandavimus firmiter iniungentes quod si iudicium inde redditum sit tunc recordum et processum loquele predictae cum omnibus ea tangentibus nobis sub sigillo vestro distincte et aperte mittatis et hoc breve ita quod ea habeamus in octabis Purificacionis beate Marie ubicumque tunc fuerimus in Anglia ut hiis inspectis ulterius inde fieri faciamus prout de iure et secundum legem et consuetudinem regni nostri fuerit faciendum et si causa subfuerit quare idem facere non debeatis tunc nos de causa illa in cancellaria nostra reddatis certiores Teste me ipso apud Westmonasterium xxviii die Ianuarii anno regni nostri quadragesimo.

Recordum et processus de quibus in brevi predicto fit mencio sequitur in hec verba :

Cantebr'. Placita ibidem tenta coram Thoma de Shardelowe et sociis suis iusticiariis domini regis ad inquirendum audiendum et

each by two persons named, and that distresses were levied on John de Coupland, parson of Elsworth, and the others named, the amounts being given. A writ to the sheriff was issued returnable on the octaves of Hilary.

On *Coram Rege Roll*, Easter, 23 Edw. III. rex 34 the sheriff returned that he had levied distress to amounts named on William de la Hay, Richard Franceys and the others named above with the exception of Pygasse, Goldyngton and the tenants of the abbot of Nevyle, who had nothing distrainable, Lyouns, Fynour and Stanton, who were dead, and the prior of Huntingdon, who had appeared by his attorney, the return being presumably to a writ of *distringas* issuing on the failure of de la Hay and the others to appear on the octaves of Hilary.

terminandum de defectibus magni pontis ville Cantebr' in comitatu Cantebr' assignatis die Lune proxima post festum Nativitatis sancti Iohannis Baptiste anno regni regis Edwardi tereii post conquestum tricesimo sexto.

Iurati presentant quod in Dokesworth' sunt quatuor hide terre que debent pontagium ad reparacionem et facturam magni pontis ville Cantebrigg' unde Robertus Brusteler chivaler Alicia Daubirnon Radulfus Codlyng Iohannes Moigne et Willelmus de Bedeford' tenent quatuor hidas terre predictas : et dicunt iurati predicti quod tenentes terrarum predictarum simul cum aliis pontagiariis comitatus Cant' de iure facere debent pontem predictum et reparare quociens et quando necesse fuerit et ab antiquo facere dirigere et reparare consueverunt illi qui predictas terras tenuerunt simul cum aliis pontagiariis eiusdem comitatus : et dicunt iurati ulterius quod pons predictus in defectu predictorum Roberti Alicie Radulfi Iohannis et Willelmi et aliorum pontagiorum comitatus predicti in tantum dirutus est et contractus quod nemo ibidem transire potest ad grave periculum ibidem transeuncium. Ideo preceptum est vicecomiti Cantebr' quod distringat' prefatos Robertum Aliciam Radulfum Iohannem et Willelmum ac omnes et singulos alios pontagiarios comitatus predicti ad reparandum pontem predictum citra diem Lune proximam post festum Ascensionis Domini proximo futurum : ad quem diem venerunt Alicia Daubirnon Radulfus Iohannes et Willelmus et dicunt quod licet presentatum sit quod ipsi simul cum Roberto Brustelere tenent quatuor hidas terre in Dokesworth' que debent pontagium nichil tamen inde tenent nec aliqua alia terras seu tementa que debent pontagium nec aliqua de causa ad reparacionem vel facturam predicti pontis tenentur : set dicunt predicti Alicia Radulfus Iohannes et Willelmus quod Robertus Brustelere illas quatuor hidas terre in Dokesworth integre solus tenet : et hoc parati sunt verificare per patriam et petunt exonerari de reparacione et factura pontis predicti ; et super hoc tulerunt breve domini regis in hec verba :

Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie dilectis et fidelibus suis Thome de Shardelowe et Gilberto Bernard' salutem. Cum nuper per litteras nostras patentes assignaverimus vos et quosdam alios fideles nostros ad defectus magni pontis ville nostre Cantebr' supervidendum et ad inquirendum per sacramentum proborum et legalium hominum de comitatu Cant' per quos rei veritas melius sciri potest quis vel qui pontem illum de iure reparare deberent et ad omnes illos quos per inquisitionem huiusmodi inveniri contigerit ad reparacionem pontem illius de iure teneri ad pontem illum reparandum

distringi faciendum ac iam ex parte Alicie Daubernon Radulfi Codlyng Iohannis Moigne et Willelmi de Bedeford' nobis sit ostensum quod, licet Robertus Brusteler chivaler integre teneat illas quatuor hidas terre cum pertinenciis in Dokesworth' que ad reparacionem pontis predicti de iure et ab antiquo onerantur absque eo quod dicti Alicia Radulfus Iohannes et Willelmus quicquam de eisdem quatuor hidis terre teneant seu ex aliqua alia causa ad pontem illum reparandum teneantur, vos tamen pro eo quod presentatum fuit coram vobis quod predicti Robertus Alicia Radulfus Iohannes et Willelmus dictas quatuor hidas terre in Dokesworth' que ad facturam pontis predicti tenentur tenent, quamquam dictus Robertus eas solus teneat, tam predictos Aliciam Radulfum Iohannem et Willelmum quam predictum Robertum ad contribuendum reparacioni pontis predicti distringi demandastis, super quo dicti Alicia Radulfus Iohannes et Willelmus nobis supplicarunt sibi per nos de remedio provideri, nos volentes in hac parte fieri quod est iustum vobis mandamus quod audita querela ipsorum Alicie Radulfi Iohannis et Willelmi in hac parte et vocato coram vobis prefato Roberto, si per inquisicionem inde capiendam constare poterit dictum Robertum dictas quatuor hidas terre in Dokesworth' que ad reparacionem dicti pontis sic tenentur integre tenere dictosque Aliciam Radulfum Iohannem et Willelmum quicquam inde non tenere nec ad reparacionem pontis predicti aliqua alia de causa de iure teneri ut est dictum, tunc ipsum Robertum ad reparacionem pontis illius iuxta ratam terre predictae per districciones et alias vias et modos quibus expedire videritis prout iustum fuit compellatis et districcioni prefatie Alicie Radulfo Iohanni et Willelmo ex causa predicta sic facte relaxari demandetis. Teste me ipso apud Westmonasterium viij die Maii anno regni nostri xxxvij.

Et super hoc predicti Alicia Radulfus Iohannes et Willelmus pretendunt verificare secundum quod prius allegaverunt.

Ideo preceptum est vicecomiti Cant' quod venire faciat predictum Robertum Bustelere contra diem Iovis proximam post festum Decollacionis sancti Iohannis Baptiste proximo futurum ad ostendendum tunc curie si quid sciat dicere contra verificacionem per prefatos Aliciam Radulfum Iohannem et Willelmum pretensum.

Ad quem diem predictus Robertus venit et similiter predicti Alicia Radulfus Iohannes et Willelmus: et dictus Robertus dicit quod ipse non tenet de illis quatuor hidis terre nisi quindecim acras terre set dicit quod dicti Alicia Radulfus Iohannes et Willelmus tenent residuum: et hoc paratus est verificare etc. Et predicti Alicia Radulfus Iohannes et Willelmus dicunt quod dictus Robertus solus tenet integre illas

quatuor hidas terre absque hoc quod ipsi aliquid inde tenent : et hoc parati sunt verificare etc.

Et ideo preceptum est vicecomiti Cant' quod venire faciat xxiiij probos et legales homines de visneto de Dokesworth' etc. qui nec etc. contra diem tunc proximam post festum Purificacionis beate Marie proximo futurum apud Cant' ad faciendum iurata illam : et idem dies datus est partibus predictis.

Ad quem diem venerunt tam predictus Robertus quam predicti Alicia Radulfus Iohannes et Willelmus et iurata non venit. Ideo preceptum est vicecomiti quod distingat iurata illam et quod habeat corpora illorum coram prefatis iusticiariis hic die Iovis proxima post festum Nativitatis beate Marie etc. ad faciendum etc. : et idem dies datus est partibus predictis. Ad quem diem venerunt tam predicti Alicia Radulfus Iohannes et Willelmus quam predictus Robertus : et iurata non venit. Ideo preceptum est vicecomiti sicut alias ei preceptum fuit quod distingat predictam iurata etc. contra diem Sabbati proximam post festum sancti Petri in Cathedra proximo futurum hic ad faciendum etc. : et idem dies datus est partibus predictis etc. Ad quem diem venerunt tam predicti Alicia Radulfus Iohannes et Willelmus quam predictus Robertus : et iurata non venit. Ideo preceptum est vicecomiti sicut pluries quod distingat iurata illam et quod habeat corpora [i]llorum hic coram prefatis iusticiariis die Lune in vigilia Nativitatis Sancti Iohannis Baptiste proximo futurum ad faciendum etc. : et idem dies datus est partibus predictis. Ad quem diem venerunt tam predicti Alicia Radulfus Iohannes et Willelmus quam predictus Robertus et petierunt verificacionem superius pretensum : et super hoc venit iurata ex assensu parcium electa et triata et onerata de toto placito predicto qui dicunt super sacramentum suum quod Robertus Bustelere illas quatuor hidas terre in Dokesworth' que debent pontagium integre solus tenet et quod predicti Alicia Radulfus Iohannes et Willelmus nichil inde tenent nec aliqua de causa ad reparacionem predicti pontis tenentur. Ideo consideratum est quod dictus Robertus oneretur de cetero ad reparacionem pontis predicti pro rata poreione illas quatuor hidas terre contingente quociens et quando etc. et quod predicti Alicia Radulfus Iohannes et Willelmus de reparacione pontis predicti exonerentur et inde quieti sint etc.

3. Ancient Indictments File 178 mm. 20-21.

Henricus dei gratia rex Anglie et Francie et dominus Hibernie dilecto sibi Iohanni Rome clerico salutem. Volentes certis de causis certiorari super quadam presentacione nuper coram vobis et sociis

vestris nuper iusticiariis domini Ricardi nuper regis Anglie secundi post conquestum ad inquirendum de nominibus omnium et singulorum hominum qui pontem ville nostre Cantebrigg' racione tenure sue seu alio modo facere tenentur assignatis apud Cantebrigg' nuper facta per quam compertum fuit quod Thomas de Skelton' chivaler et Nicholaus Parys et participes sui tenent quatuor hidas terre cum pertinenciis in Dokesworth' qui una cum aliis racione tenure sue predicte pontem predictum facere debent, vobis mandamus quod presentacionem illam cum omnibus eam tangentibus nobis sub sigillo vestro distincte et aperte mittatis et hoc breve ita quod eam habeamus in crastino Sancti Martini ubicumque tunc fuerimus in Anglia ut ulterius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum. Teste me ipso apud Westmonasterium viij die Novembris anno regni nostri quarto. Lilleston'.

Execucio istius brevis patet in quodam pannello huic brevi consuto. Iohannes Rome unus commissionarius.

Placita tenta apud Cant' coram Edmundo de la Pole Iohanne Rome clerico Radulfo Bateman et Thoma Morice commissionariis domini regis ad magnum pontem ville Cantebr' faciendum et reparandum assignatis die Iovis proxima ante festum sancti Gregorii pape anno regni regis Ricardi secundi xxj^o.

Inquisicio capta coram prefatis commissionariis ad prefatum diem et locum per sacramentum Willelmi Kyng' de Hoghton'¹ . . . iuratorum qui dicunt super sacramentum suum quod Thomas de Skelton' chivaler Nicholaus Parys et parcenarii sui tenent quatuor hidas terre in Dokesworth' qui racione tenure predicte magnum pontem ville Cant' cum aliis facere et reparare tenentur.

Of the three ancient bridges in Cambridge, the one at the north end of the town was always distinguished as the Great Bridge.²

It was a fruitful source of local controversy and there are numerous references to it in Cooper's *Annals of Cambridge*. In 1276 the sheriff levied hidage for its repair and did not use the sums collected for that purpose but provided a barge for the passage of the river and appropriated to himself the fares of the passengers.³

Commissions for its repair were constantly issuing and inquisitions as to liability taken from the thirteenth to the middle of the eighteenth century, and the findings of the juries imposed the burden of its maintenance upon specified lands held by that service in twenty parishes in the hundreds of

¹ The names of eleven other jurors are given.

² Willis and Clark, *Architectural History of the Univ. of Cambridge*, i. 12.

³ Cooper, *Annals of Cambridge*, i. 55.

Papworth, Northstow, Chesterton, Stowe, Wetherley and Whittlesford.¹ In 1674, £60 was required for its repair, and a jury with three dissentients found that there was no evidence as to the lands chargeable. This verdict led to threats of prosecution by the commissioners: in the following year, however, a new jury made a proper presentment of the pontage lands.² At various dates between A.D. 1546 and A.D. 1752 assessments were made based on a contribution by the hide, which gradually increased during that period from 13s. 4d. to £6.³ In 1718 the holders of the pontage lands tried in vain to shift the onus to the corporation of the town.⁴ Notwithstanding the continuous commissions for its repair, the bridge had to be rebuilt in 1482 and in 1754, and on the latter occasion a public subscription was substituted for the assessment of the pontage lands.⁵

XX.

WATERCOURSE AT GREAT WILBRAHAM.

Mandate to the sheriff of Cambridgeshire by close writ,⁶ dated 18 October 1365, to this effect: Whereas error has, it is said, intervened in a presentment made in the sheriff's turn at Fulbourn that a certain water in Watholmdam in Great Wilbraham has been stopped by John Pavely prior of the hospital of St. John of Jerusalem in England to the hurt of the township of Fulbourn, the sheriff is ordered to have the presentment before the king on the morrow of All Souls that he may cause action to be taken thereon according to the law and custom of the kingdom.

The sheriff's turn at Flemdish, 15 October 1365. John Baudewyne and eleven other jurors say on their oath that the said prior stopped the right course of a water in Watholmdam in Great Wilbraham by his failure to cleanse the said Watholmdam so that by the overflow of the said water the common of Fulbourn is flooded to the hurt of the whole township.

Coram Rege Roll, Hil., 40 Edward III. m. 26d.

Cant'. Dominus rex mandavit vicecomiti Canteb' breve suum clausum in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie vicecomiti Cant' salutem. Quia in quadam presentacione nuper coram te in turno tuo tento apud Fulbourn facta de quadam aqua apud magnam Wilburgham in quodam loco vocato Wathobundam (*sic*) per Iohannem Pavely priorem hospitalis Sancti Iohannis Ierusalem in Anglia obstupata ad nocumentum villate de Fulbourn ut dicitur error intervenit manifestus ad grave dampnum ipsius prioris sicut ex querela sua accepimus, nos errorem si quis fuerit modo debito corrigi et iusticiam fieri volentes in hac parte tibi precipimus quod presentacionem predictam cum omnibus ea tangentibus

¹ Cooper, *Annals of Cambridge*, i. 251. ² *Ibid.* iii. 559. ³ *Ibid.* i. 439. iv. 286.

⁴ *Ibid.* iv. 150. ⁵ *Ibid.* iv. 291, 292.

⁶ Not enrolled on the Close Roll.

nobis sub sigillo tuo distincte et aperte mittas et hoc breve ita quod ea habeamus in crastino Animarum ubicumque tunc fuerimus in Anglia, ut inspecta presentacione predicta ulterius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri fuerit faciendum Teste me ipso apud Westmonasterium xvij die Octobris anno regni nostri tricesimo nono.

Turnus vicecomitis tentus apud Flemdieh' die Mercurii proxima post festum sancti Dionisii anno regni regis Edwardi tercii post conquestum tricesimo nono per sacramentum Iohannis Baudewyne¹. . . qui dicunt super sacramentum suum quod Iohannes Pavely prior hospitalis sancti Iohannis Ierusalem in Anglia obstupat rectum cursum aque apud Walburgham Magnam in quodam loco vocato Watholmdam ita quod illa aqua non potest habere rectum cursum suum sicut habere solebat, quia non mundat predictam Watholmdam sicut mundare deberet ita quod per nimietatem aque illius communa villate de Fulbourn' inundatur ad nocumentum tocius villate prediete etc.

XXI.

RIVER AND DRAIN AT BARNWELL.

Presentment in Trinity term, 1382, before the king at Cambridge that Ralph prior of Barnwell has taken from the course of the king's river of Cambridge below Barnwell 12 feet in breadth from Grenecroft pasture to Estenhale in 4 Richard II. (1380-1381) so that the course is much narrowed to the hurt of the whole community of Cambridge passing there with ships and boats, and has continued the trespass to the present time : and that a common drain between Barnwell priory and Grenecroft pasture, where ships and boats used to pass, is stopped by the said prior with piles and stakes so that they cannot pass, to the hurt of the whole community of Cambridge.

Precept to the sheriff.

On the octave of the Purification, 1384, the aforesaid prior came before the king at Westminster by Alexander Dominyk, his attorney, and a day was given him on the quinzaine of Easter.

After postponements the prior came before the king at Westminster on the quinzaine of Michaelmas by his attorney and said that he and his predecessors had a garden within the limits named in the presentment, being parcel of his priory, from time immemorial, extending to the banks of the river, and that the said water was his several fishery belonging to his manor of Chesterton extending from Nunneslake to Crowseshall, opposite Cheynesdyche, and that sometimes the river overflowed the bounds of his garden and did it great damage by reason of the faulty repair of the banks of the said river ; whereupon for the safety of his garden he recently raised and mended the banks of the said river within the limits named without thereby taking aught from

¹ The names of eleven other jurors are given.

the course of the said river beyond the soil of his own garden so as to narrow its course, as it is presented ; and he sought the verdict of the country.

As to the presentment that he stopped the aforesaid common drain he said that it was a several drain the property of himself and the convent of Barnwell and was made before the memory of man within the several soil of the priory for the safety of the priory and of its garden and closes on the west side, and at the time of the turmoil in the fourth year of the present reign certain malefactors and rebels and other unknown persons broke and stopped the drain and its banks so that the yard and closes aforesaid could not be defended or saved but were for the greater part destroyed as well by the rebels as otherwise ; wherefore he recently caused the drain to be repaired as it was before for the defence of his garden and closes and set piles and stakes therein in his own soil as of old time ; nor was the said drain at any time within memory a common drain for the passage of ships and boats : and he sought the verdict of the country. Thomas de Shardelowe, suitor for the king, likewise sought a verdict on the terms of both presentments. A jury was summoned for the octaves of Hilary.

Coram Rege Roll, Hil., 7 Richard II. rex 22.

Cant'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancte Trinitatis anno regni regis nunc sexto coram domino domino (*sic*) rege apud *Cant'* presentaverunt quod Radulfus prior de Bernwell' cepit de cursu riparie domini regis de *Cant'* subtus Bernwell' duodecim pedes in latitudine et in longitudine a quadam pastura vocata Grenecroft' usque Estenhale anno regni regis Ricardi secundi post conquestum quarto ita quod cursus aque predictae multipliciter strictus est ad grave nocumentum tocius communitatis *Cant'* ibidem navigantis cum navibus et batellis et sic continuando transgressionem predictam usque diem capcionis istius inquisitionis et adhuc continuat. Item presentaverunt quod quidam communis fossatus inter prioratum de Bernewell' ex una parte et quandam pasturam vocatam Grenecroft' ubi naves et batelli solebant navigare obstupatur per predictum priorem de Bernewell' cum piles et stakes ita quod naves neque batelli ibi navigare non possunt ad grave nocumentum tocius communitatis ville *Cant'*.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatum priorem ad respondendum etc.

Et modo scilicet in octabis Purificacionis beate Marie isto eodem termino coram domino rege apud Westmonasterium venit predictus prior per Alexandrum Dominyk' attornatum suum et allocutus est qualiter de premissis sibi impositis se velit acquietare : qui quidem prior petit inde licenciam loquendi etc. Et super hoc datus est ei dies a die Pasche in xv dies ubicumque etc. in statu quo nunc etc.

Postea continuato inde processu coram domino rege versus prefatum priorem usque a die sancti Michaelis in xv dies ubicumque etc. ad quam quindenam Sancti Michaelis coram domino rege apud Westmonasterium venit predictus prior per attornatum suum predictum et, ubi per presentacionem predictam supponitur quod ipse cepit de cursu riparie domini regis de Cant' subtus Bernwell duodecim pedes in latitudine et in longitudine a quadam pastura vocata Grenecroft usque Estenhale ita quòd cursus aque predictae multipliciter structus (*sic*) est ad grave nocumentum tocius communitatis Cantebrigie etc., idem prior dicit quod ipse et predecessores sui habent et habuerunt quoddam gardinum situm infra limites predictos quod est parcella dicti prioratus de Bernwell' a tempore quo non extat memoria fuit (*sic*) se extendens usque in ripam aque predictae et per metas in presentacione predicta contentas et quod aqua predicta est separalis piscaria ipsius prioris spectans ad manerium suum de Chesterton' infra metas illas et per totam aquam illam que se extendit in longitudine a lacu vocato Nunneslake usque ad Crowereshill' quod est ex opposito de Cheynesdych' et quod aliquando per fluxum et refluxum et cretinum aque predictae ripe riparie predictae fines et margines gardini predicti per metas in dicta presentacione specificatas multipliciter deteriorate confracte et inundate fuerunt, per quod aqua predicta ultra cursum suum rectum in talibus fluxu refluxu et cretino eiusdem aque in gardinum predictum pro defectu emendacionis ripe predictae in fines et margines predictos confluit et magnam partem gardini predicti ibidem destruxit et inundavit : super quo idem prior pro salvacione gardini sui predicti infra gardinum illud usque ripam riparie predictae per spacium longitudinis riparie eiusdem aque infra limites predictas fines et margines gardini sui predicti recenter cum terra exaltavit et emendavit : absque hoc quod ipse aliquid de cursu riparie domini regis de Cantebr' cepit ultra solum suum proprium gardini sui predicti in latitudine sive in longitudine per quod cursus aque predictae aqualiter structus est ad grave nocumentum tocius communitatis ville Cant' prout superius super ipsum presentatum est : et hoc paratus est verificare per patriam etc.

Et quo ad hoc quod superius presentatum est quod idem prior quoddam commune fossatum inter prioratum de Bernewell' ex una parte et quandam pasturam vocatam Grenecroft ubi naves et batelli solebant navigare obstupatur (*sic*) per predictum priorem de Bernewell' cum piles et stakes ita quod naves neque batelli ibi navigare non possunt ad grave nocumentum tocius communitatis ville Cant' etc. idem prior dicit quod fossatum predictum in presentacione predicta contentum est proprium et separale fossatum ipsius prioris et conventus eiusdem

prioratus et factum fuit ab antiquo et a tempore quo non extat memoria in solo proprio et separali prioratus predicti pro defensione et salvacione prioratus predicti et gardinorum et clausorum eiusdem prioratus ex parte occidentali illius prioratus: et dicit quod tempore rumoris videlicet anno regni regis nunc quarto in regno Anglie exorti tam quidam malefactores et rebelles ville Cant' quam alii ignoti fossatum predictum et ripas eiusdem fossati frugerunt et in maiori parte obstupaverunt in tantum quod [per] fossatum illud gardina et clausa ipsius prioris ibidem defendi seu salvari [non] poterunt set pro maiori parte tam per rebelles predictos quam alio modo destructa fuerunt: per quod idem prior recenter fossatum illud reparari et emendari fecit prout antea fuit in defensionem gardini et clausorum prioratus sui predicti et in fossato illo pilas et stakes pro meliori salvacione et claustrura eiusdem prioratus gardini et claustrorum suorum predictorum et in solo suo proprio et separali fixit et posuit prout antiquitus fieri consuevit absque hoc quod fossatum illud est seu unquam post tempus memorie fuit commune fossatum pro navibus et batellis in eodem navigandis prout superius presentatum est et hoc paratus est verificare per patriam etc.

Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predictus prior cepit de cursu riparie domini regis de Cant' subtus Bernwell' duodecim pedes in latitudine et in longitudine a quadam pastura vocata Grenecroft usque Estenhale ita quod cursus aque predictae multipliciter structus est ad grave nocumentum tocus communitatis Cant' ibidem navigantis cum navibus et batellis et sic continuando transgressionem predictam usque diem capeionis inquisicionis et adhuc continuat: et quod quidam communis fossatus inter prioratum de Bernewell' ex una parte et quandam pasturam vocatam Grenecroft ubi naves et batelli solebant navigare obstupatur per predictum priorem de Bernewell' cum piles et stakes ita quod naves neque batelli ibi navigare non possunt ad grave nocumentum tocus communitatis ville Cant', prout superius super ipsum priorem presentatum est, et hoc pro domino rege offert verificare per patriam etc. Et predictus prior similiter. Ideo veniat inde iurata coram domino rege in octabis Sancti Hillarii ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato priori etc.

The damage alleged by the prior to have been done to his closes during the popular rising of 1381 is recorded in Cooper from other sources.¹ The river called Cambridge is of course the Cam.

¹ Cooper, *Annals of Cambridge*, i. 121.

DEVONSHIRE.

XXII.

ROAD NEAR LYMPSTONE.

Letters patent, dated 20 May 1387, to John Prestecote and the sheriff of Devon to this effect: Whereas a road from Chickstone towards Exeter where men and cattle of those parts have been wont to pass is obstructed, John Prestecote and the sheriff are assigned to enquire by a jury of the county whether the road is a popular road or common street and by whom and when and how it has been obstructed and are to return the inquisition so made into chancery.

Inquisition taken at Exeter on Tuesday, 11 June, before the aforesaid John and Richard Chambernoun sheriff of Devon by virtue of the aforesaid writ by the oath of William Boyvyle and eleven other jurors, who say that the aforesaid road is the king's road and a popular road and a common high street, and is obstructed by certain ditches newly raised by Henry Andrewes parson of Lymptone.

Precept to the sheriff.

On the octave of St. John the Baptist the aforesaid Henry came before the king at Westminster by Thomas Crowe his attorney and said that the road was not obstructed as aforesaid as he was ready to verify: and Edmund Brudenell, the king's suitor, was ready to verify that the road was so obstructed.

After postponements on the quinzaine of Easter, 1389, the said Henry came before the king at Westminster and William Rykhill' and John Cassy justices of assize in Devon sent the record of the verdict of the jury to this effect:

Afterwards on Monday, 1 March 1389, before the said William and John at Exeter the said Henry came in his proper person and after the customary proclamation John Beaucombe offered to sue for the king and a jury came: whereupon the said Henry challenged the panel and said that it was arrayed by John Poulet, late sheriff, at the naming of John Dynham knight, suitor for the king in this behalf, and others of his counsel, and the challenge was found true by the triers. Therefore the sheriff was ordered to summon a jury for the octave of Trinity.

After postponements on the octave of St. Michael the aforesaid Henry came before the king at Westminster by his attorney and William Rykhill' and William Branchesley justices of assize in Devon sent the record of the verdict of the jury to this effect:

Afterwards on Monday, 26 July 1389, the aforesaid Henry came before the said justices at Exeter in person and, John Baucombe having offered to inform concerning the premises, the jury came and said upon their oath that the said road has been obstructed as aforesaid by the said Henry. It was therefore considered that the said ditches must be levelled and totally destroyed and the obstruction removed and the aforesaid Henry was amerced 3s. 4d.

Coram Rege Roll, Trin., 11 Richard II. rex 21.

Devon'. Dominus rex mandavit dilectis sibi Iohanni Prestecote et vicecomiti Devon' breve suum patens in hec verba : Ricardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis sibi Iohanni Prestecote et vicecomiti Devon' salutem. Quia quedam via que se ducit de villa de Chikeston' versus civitatem Exonie per quam communis transitus hominum et pecorum fieri consuevit per quosdam homines parcium illarum iam de novo obstructa existit in nostri contemptum et preiudicium et parcium adiacencium ac aliorum legeorum nostrorum qui per viam illam transire consueverunt dampnum non modicum et gravamen, nos indempnitati nostre et populi nostri in hac parte prospicere volentes ut tenemur, assignavimus vos ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto per quos rei veritas melius sciri poterit si via predicta sit via popularis aut strata communis necne et per quos vel quem obstructa existit et quando qualiter et quomodo. Et ideo vobis mandamus quod ad certos dies et loca quos ad hoc provideritis diligentem super premissis omnibus et singulis ac aliis articulis et circumstanciis ea concernentibus faciatis inquisitionem et eam distincte et aperte factam nobis in cancellariam nostram sub sigillis vestris et sigillis eorum per quos facta fuit sine dilacione mittatis et hoc breve. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium xx die Maii anno regni nostri decimo.

Inquisicio inde capta sequitur in hec verba : Inquisicio capta apud Exoniam die Martis in festo sancti Barnabe apostoli anno regni regis Ricardi secundi a conquestu Anglie decimo coram Iohanne Prestcote et Ricardo Chambernoun vicecomite Devon' virtute cuiusdam brevis domini regis predictis Iohanni et Ricardo vicecomiti directi per sacramentum Willelmi Boyvyle¹. . . qui dicunt super sacramentum suum quod via que ducit de villa de Chikston' versus civitatem Exonie per quam communis transitus hominum et pecorum fieri consuevit est via regia et popularis et alta strata communis et a tempore quonon exstat

¹ The names of eleven other jurors are given.

memoria fuit et dicunt quod via predicta est obstructa et opstupata (*sic*) per levacionem quorundam fossatorum per Henricum Andrew personam ecclesie de Limeniston' de novo factorum anno regni regis Ricardi secundi sexto: In cuius rei testimonium predicti iuratores sigilla sua huic inquisitioni apposuerunt date die anno et loco supradictis.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatum Henricum ad respondendum etc.

Et modo scilicet in octabis sancti Iohannis Baptiste isto eodem termino coram domino rege apud Westmonasterium venit predictus Henricus Andrewe per Thomam Crowe attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare via predicta per prefatum Henricum sic de novo obstructa et obstupata deobstupari et aperiri non debeat, qui dicit quod via predicta non est obstructa nec obstupata per levacionem fossatorum per ipsum Henricum de novo factorum prout super ipsum presentatum est: et hoc paratus est verificare. Et Edmundus Brudenell' qui sequitur etc. dicit quod via predicta est obstructa et obstupata per levacionem quorundam fossatorum per ipsum Henricum de novo factorum et hoc paratus est pro domino rege verificare: et predictus Henricus similiter. Ideo veniat inde iurata coram domino rege in octabis Sancti Michaelis ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato Henrico etc. Postea continuato inde processu per iuratas positas in respectum coram domino rege usque in octabas sancti Hillarii anno regni regis nunc duodecimo ubicumque etc.: ad quem diem coram domino rege apud Westmonasterium venit predictus Henricus per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis ipsius regis iusticiariis hic directi de iurata predicta per breve ipsius regis de nisi prius capienda usque a die Pasche in xv dies ubicumque etc., nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignatis prius die Lune proximo post festum sancti Mathie apostoli apud Exoniam venerint pro defectu iurate quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatos diem et locum si etc. Idem dies datus est prefato Henrico etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Henricus per attornatum suum predictum et Willelmus Rykhill' et Iohannes Cassy iusticiarii coram quibus etc. miserunt recordum veredicti iurate predictae coram eis habite in hec verba:

Postea die et loco infracontentis coram Willelmo Rykhill' et Iohanne Cassy iusticiariis domini regis ad assisas in comitatu Devonie capiendas

assignatis per formam statuti etc. venit Henricus Andrewe persona ecclesie de Limeniston' infranominatus in propria persona sua et facta proclamacione prout moris est si quis pro domino rege in hac parte prosequi vellet quidam Iohannes Beaucombe ad hoc faciendum protulit et super hoc iuratores exacti venerunt : super quo predictus Henricus calumpniat arraiamentum panelli iurate infracontente quia dicit quod panellum illud arraiatum fuit per Iohannem Poulet nuper vicecomitem Devon' ad denominacionem Iohannis Dynham chivaler qui pro domino rege in hac parte sequitur et aliorum de consilio suo : quequidem calumpnia per triatores iurate comperta est vera. Ideo consideratum est quod panellum predictum quassetur et penitus adnulletur. Et preceptum est vicecomiti quod non omittat etc. quin de novo venire faciat coram domino rege in octabis sancte Trinitatis ubicumque etc. xxiiij quam milites tam alios etc. per quos etc. et qui prefato Henrico nulla affinitate etc. ad recognoscendum etc. Idem dies datus est prefato Henrico etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Henricus per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve domini regis de nisi prius capienda usque in octabas sancti Michaelis ubicumque etc., nisi iusticiarii domini regis ad assisas in comitatu Devonie capiendas assignati prius die Lune proximo post festum sancte Marie Magdalene apud Exoniam venerint pro defectu iurate quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatos diem et locum si etc. Idem dies datus est prefato Henrico etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Henricus per attornatum suum predictum et Willelmus Rykhill' et Willelmus Brenchesley iusticiarii coram quibus etc. miserunt recordum veredictie iurate predictie coram eis habite in hec verba :

Postea die et loco infracontentis coram Willelmo Rykhull' et Willelmo Brenchesle iusticiariis domini regis ad assisas in comitatu Devonie capiendas assignatis per formam statuti etc. venit Henricus Andrewe persona ecclesie de Limeniston' infranominatus in propria persona sua et super hoc facta proclamacione prout moris est si quis pro domino rege iuratores iurate unde infra fit mencio de infracontentis informare vellet quidam Iohannes Baucombe ad hoc faciendum se protulit : super quo processum est ad capcionem iurate predictie.

Iuratores venerunt qui ad veritatem de infracontentis dicendam electi triati et iurati dicunt super sacramentum suum quod quedam via unde infra fit mencio que ducit de villa de Chykeston' versus civitatem Exonie obstructa est et obstupata per levacionem fossatorum per predictum Henricum de novo factorum prout Edmundus Brudenell' qui pro domino rege sequitur allegavit. Ideo consideratum est quod via predicta disobstupetur et quod fossate predictae sic de novo facte prosternentur et totaliter deleantur etc.: et predictus Henricus in misericordia et afforatur per iusticiarios ad xl denarios etc.: et preceptum est vicecomiti quod non omittat etc. quin distingat prefatum Henricum per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod via predicta deobstupetur et quod fossate predictae prosternentur et totaliter deleantur etc.

Chickstone is in the parish of Littleham at the mouth of the Exe, and a road thence in the direction of Exeter would pass close to Lympstone.

DORSETSHIRE.

XXIII.

ROAD AT FIFEHEAD MAGDALEN.

Presentment of Trinity term, 1358, at Sherborne by jurors of the hundred of Red Lane that the king's road in the lordship of the abbot of St. Augustine Bristol at Fifehead is flooded at Cokerelesmulle and out of repair and that the said abbot ought to repair it.

Ancient Indictments File 19 m. 10.

*Dors': Indictamenta Trinitatis xxxij^o apud Shirbourn.
Hundredum de la Redelane.*

Iurati dicunt . . . quod in dominio abbatis sancti Augustini Bristollie apud Fiffhide in hundredo supradicto est quedam via regia periculosa et infundrata (*sic*) apud Cokerelesmulle que iacet non reparata ad magnum periculum et grave dampnum populi, quam dictus abbas reparare deberet ¹ et omnes predecessores sui viam illam a toto tempore fecerunt et de iure facere tenentur.

XXIV.

BRIDGE AT MARNHULL.

Presentment in Trinity term, 1358, before the king at Sherborne that a bidge at King's Mill [in Marnhull] is weak by default of the abbot of Glastonbury and his tenants.

Precept to the sheriff.

On the quinzaine of Easter, 1360, the aforesaid abbot and his tenants came before the king at Westminster by Robert Brideport their attorney and said that they ought not to be troubled in this matter because king Henry [III.], the great-grandfather of the present king, by his charter dated 16 February 1226-7, which he produced in court, granted and

¹ The remaining words are added by another hand.

confirmed to Josceline late bishop of Bath and his successors that Robert the bishop's abbot of Glastonbury and all his successors should have in all their lands toll and theam infangenethef and utfangenethef and that they, their men and all the men of their fees should be quit of passage, pontage, lestage, stallage, works of castles, houses, walls, ditches, bridges, causeways, stews and ponds, enclosures of parks, ploughings and all other works; and he also produced a close writ to the justices here to allow the aforesaid charter to this effect: Whereas among other liberties granted by the said king Henry to the abbot and convent of Glastonbury it is granted that they and their men and the men of their fees shall be quit of passage, pontage, lestage, stallage, works of ditches, bridges, causeways, stews and ponds, and of all other works, the which liberties they have always enjoyed since the making of the charter, William de Shareshull' and his fellows, justices before the king, are ordered to permit the said abbot and convent to enjoy the said liberties. Witness Thomas the king's son keeper of England at Berkhamstead, 10 May (*sic*) 1360. Wherefore he sought for himself and his tenants quittance of the repair of the said bridge.

A day was given on the octave of Trinity, when as well Richard de Fryseby, suitor for the king, as the said abbot and tenants by their attorney came before the king, and thereupon the king gave order to his justices here by close writ to this effect: Whereas king Henry, the king's great-grandfather, granted and confirmed to Josceline then bishop of Bath and his successors, that Robert his abbot of Glastonbury and his successors should have in all their lands toll and theam infangenethef and utfangenethef and that they, their men and all the men of their fees should be quit for ever toward the then king and his heirs and all his sheriffs, constables, reeves and bailiffs of passage etc. (as above), of works of castles, houses, walls, ditches etc. (as above) and should have all their liberties and quittances well and in peace, wholly and fully in all things and places for ever, the which liberties they have always enjoyed since the making of the charter, the said William and his fellows are ordered, if it be so, to permit the said abbot to enjoy the said liberties. Witness the king at Westminster, 20 June 1360. Whereupon, the said letters having been seen and more fully understood, it is considered that the said abbot and his tenants go without a day thereof.

Coram Rege Roll, Easter, 34 Edward III. rex 25.

Dors'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancte Trinitatis anno regni regis nunc Anglie tricesimo secundo coram domino rege apud Shirburn' presentaverunt quod quidam pons apud Kyngesmilne deterioratus et debilis est in defectu abbatis de Glastyngbury et eius tenencium ibidem ad magnum gravamen tocus populi et maximum nocumentum tocus patrie, quem pontem dictus abbas et sui tenentes de iure facere et reparare tenentur et ipsi et antecessores et predecessores a toto tempore fecerunt.

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem et eius tenentes ad respondendum etc.

Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege apud Westmonasterium venerunt predicti abbas et tenentes per Robertum Brideport attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum simul cum tenentibus suis predictis facere et reparare non debeant: qui quidem abbas et tenentes per predictum attornatum suum dicunt quod ipsi non intendunt quod dominus rex ipsum (*sic*) inde occasionare velit in hac parte, quia dicunt quod dominus Henricus quondam rex Anglie proavus domini regis nunc per cartam suam concessit et confirmavit venerabili patri Ioscelino nuper Bathoniensi episcopo et successoribus suis imperpetuum quod Robertus nuper abbas suus Glaston' et omnes successores sui habeant per omnes terras suas toll' et theam infangenethef et utfangenethef et quod ipsi et omnes homines eorum et omnes homines de feodis suis sint quieti imperpetuum erga ipsum dominum H. quondam regem Anglie proavum domini regis nunc et heredes suos etc. de passagio pontagio lestagio stallagio et de operacionibus castellorum domorum murorum fossatorum poncium calcetorum vivariorum stagnorum et clausuris parcorum et arruris et de omnibus aliis operacionibus etc.: quam quidem cartam predictus abbas per attornatum suum predictum profert hic in curiam premissa testificantem, cuius datum est apud Westmonasterium xvj die Februarii anno regni ipsius H. quondam regis Anglie etc. undecimo; profert eciam idem abbas quoddam breve regis clausum iusticiariis hic directum de predicta carta allocanda que sequitur in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Willelmo de Shareshull' et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Cum inter ceteras libertates et quietancias dilectis nobis in Christo abbati et conventui Glastonii per cartam domini H. quondam regis Anglie proavi nostri concessas concessum sit eisdem quod ipsi et omnes homines eorum et omnes homines de feodis suis sint quieti imperpetuum de passagio pontagio lestagio stallagio de operacionibus fossatorum poncium calcetorum vivariorum stagnorum et de omnibus aliis operacionibus prout in carta predicta plenius continetur, quibus quidem libertatibus et quietanciis iidem abbas et conventus et predecessores sui a tempore confeccionis carte predictae semper hactenus usi sunt et gavisii sicut dicunt, vobis mandamus quod ipsos abbatem et conventum libertatibus et quietanciis predictis coram vobis uti et gaudere permittatis iuxta tenorem carte predictae et prout eis uti debent ipsique et predecessores sui predicti

libertatibus et quietanciis illis semper hactenus a tempore predicto racionabiliter uti et gaudere consueverunt. Teste Thoma filio nostro carissimo custode Anglie apud Berkhamsted' x die Maii anno regni nostri Anglie tricesimo quarto regni vero nostri Francie vicesimo primo. Unde petit quod ipse et tenentes sui sint quieti reparacionis pontis predicti iuxta tenorem carte predictæ etc. Ideo dies datus est prefato abbati usque in octabas sancte Trinitatis coram rege ubicumque etc. in statu quo nunc etc. eoquod (*sic*) curia etc.

Ad quem diem coram domino rege apud Westmonasterium venit tam Ricardus de Fryseby qui sequitur pro domino rege quam predicti abbas et tenentes per attorney suum predictum : et super hoc dominus rex mandavit iusticiariis hic breve suum clausum in hæc verba : Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Willelmo de Shareshull' et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Cum dominus H. quondam rex Anglie progenitor noster concessisset et carta sua confirmasset Iocelino tunc Bathoniensi episcopo et successoribus quod Robertus abbas suus Glaston' et successores sui habeant per omnes terras suas thol et theam infangenethef et utfangenethef et quod ipsi et homines eorum et omnes homines de feodis suis sint quieti imperpetuum erga ipsum progenitorem et heredes suos vicecomites constabularios prepositos et omnes ballivos ipsius progenitoris nostri de passagio pontagio lestagio stallagio de operacionibus castellorum domorum murorum fossatorum poncium calcetorum et de omnibus aliis operacionibus et quod predictus abbas Glastonie et successores sui et omnes homines eorum et terre et feoda et omnes homines de feodis illis habeant omnes libertates et quietancias bene et in pace integre et plenarie in omnibus rebus et locis imperpetuum, prout in carta predicta plenius continetur, quibus quidem libertatibus et quietanciis dilectus nobis in Christo nunc abbas loci predicti et omnes predecessores sui abbates loci predicti semper hactenus a tempore confeccionis carte predictæ uti sunt et gavisii sicut dicunt, vobis mandamus quod, si ita est, tunc ipsum nunc abbatem libertatibus et quietanciis predictis coram vobis uti et gaudere permittatis iuxta tenorem carte predictæ et prout eis uti debet ipseque et predecessores sui predicti libertatibus et quietanciis illis semper hucusque a tempore predicto racionabiliter uti et gaudere consueverunt Teste me ipso apud Westmonasterium xx die Iunii anno regni nostri Anglie tricesimo quarto regni vero nostri Francie vicesimo primo. Et petit iudicium ut prius etc.

Et super hoc visis litteris predictis et plenius intellectis consideratum est quod predicti abbas et tenentes eant inde sine die etc. salvo iure domini regis etc.

Glastonbury was pre-eminent among English abbeys and it is curious that the charter produced by the abbot was made in favour of the bishop of Wells and his abbot of Glastonbury. The words are in fact the outcome of a vigorous struggle between the diocese and the abbey which had run its course during the preceding episcopate until a final concordat was reached in 1219, wherein the right of patronage was reserved to the bishopric of Wells.¹ It is at least curious that the charter of February 1226-1227, which the abbot produced, was vacated and superseded by another charter in May 1229; but as the only difference between the charters was that exemption from toll was omitted in the latter, the production of the vacated charter would not appear to affect the present issue.²

Neither of the writs successively produced by the abbot appears to be enrolled on the Close Roll: the former of them bears a date inconsistent with the course of the pleadings, and does not adhere closely to the terms of the charter, and this was probably the reason why it was necessary for the abbot to fortify himself with a second writ upon his subsequent appearance before the king; the words *plenius intellectis* at the end of the entry may in fact point to the failure of the former writ to satisfy Sharesull and his colleague.

¹ Church, *Early History of the Church of Wells*, 97, 116-118.

² *Calendar of Charter Rolls*, i. 6, 103.

ESSEX.

XXV.

BRIDGE BETWEEN BILLERICAY AND CHELMSFORD.

Presentment in Michaelmas term, 1351, at Chelmsford that the abbot of Stratford ought to repair a broken bridge between Billericay and Chelmsford below Nossessheygh.

Precept to the sheriff.

On Monday, 21 November, the said abbot came before the king at Chelmsford by Thomas de Thorp, his attorney, and said that he was bound to repair the said bridge but that it was in adequate repair as he was prepared to verify. Simon de Kegworth, suitor for the king, said that the bridge was broken, as he was prepared to verify.

A jury came on Monday, 28 November, and said that the bridge was broken from the time of the said presentment until the coming of the justices and was now sufficiently repaired. The abbot was amerced for his default and was to be distrained.

Coram Rege Roll, Mich., 25 Edward III. rex 28.

Essex. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram rege apud Chelmersford' presentaverunt quod abbas de Stratford' de iure debet reparare pontem defractum et prostratum inter Byllerica et Chelmersford' subtus Nossessheygh' et ipse et predecessores sui a toto tempore fecerunt et de iure tenentur facere etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem.

Et modo scilicet die Lune proxima post octabas sancti Martini isto eodem termino coram rege apud Chelmersford' venit predictus abbas per Thomam de Thorp' attornatum suum et allocutus est si quid pro se habeat vel dicere sciat quare pontem illum facere et reparare non debeat. Et predictus abbas non dedit quin pontem illum facere et reparare tenetur sed dicit quod pons ille sufficiens est et non ruinosus neque contractus prout per presentacionem predictam supponitur et hoc paratus est verificare etc. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod pons ille est ruinosus et contractus prout superius

presentatum est et hoc paratus est verificare pro domino rege etc. Et predictus abbas similiter. Ideo veniat inde iurata coram domino rege hic die Lune proxima post festum sancte Katerine virginis etc.

Ad quem diem coram domino rege venit tam predictus Simon qui sequitur etc. quam predictus abbas per predictum attornatum suum et similiter iurata venit : qui iurati dicunt super sacramentum suum quod in adventu iusticiariorum hic a tempore presentacionis predictae predictus pons dirutus fuit et contractus et quod pons ille nunc sufficienter reparatur. Ideo idem abbas pro defectu reparacionis eiusdem pontis in misericordia etc. Et distringatur etc. per omnes etc.

Neither this bridge nor Nossessheygh can be now identified : but the bridge probably crossed the river Wid near Buttsbury, as the abbot of Stratford held land there. There is a reference to a bridge in the same locality in No. 33.

XXVI.

RIVER WALL AT WEST HAM.

Presentment in Michaelmas term, 1351, at Chelmsford that the prioress of Stratford has a wall called Prioriswal in West Ham, which she is bound to repair, and has a pasture and a rent from divers tenants for preserving the said wall, which must be mended or otherwise it will in a short while be beyond repair.

Precept to the sheriff. -

On Thursday, 17 November, the said prioress came before the king at Chelmsford by Thomas de Thorp, her attorney, and said that in the time of King Henry III. one John Couele was seised of forty-three and a half acres of land together with the said wall, then called Coueleswalle, and an adjacent hope, the whole of which land, wall and hope were then charged with the maintenance of the said wall, and afterwards and before the statute *Quia Emptores* the said John demised all the aforesaid land, wall and hope in parcels to divers tenants to be held of him and his heirs by certain services and a yearly rent of 14 shillings, and he afterwards granted all the aforesaid services with all the fee and lordship of all his said tenants and tenements to one Simon de Passelewe ; and afterwards passing from hand to hand by divers alienations they came into the hands of the said prioress, who now holds only the aforesaid rent of 14 shillings and none of the aforesaid lands and tenements charged with the repair of the said wall, as appears by an inquisition taken on 20 November 1356 before Henry Gernet and his fellows, justices to survey walls etc. on the coast of the Thames in Essex, by whom it was adjudged that she could not be distrained to repair the said wall beyond the proportion of the said 14 shillings ; and she produced an exemplification of the said judgment and craved judgment whether she be in any way liable to repair the said wall beyond the said rent of 14 shillings, in proportion to which she has always been ready to repair the said wall.

Because she has acknowledged her liability it is considered that she repair the wall, when necessary, in the aforesaid proportion.

Coram Rege Roll, Mich., 25 Edward III. rex 35.

Essex. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentaverunt quod priorissa de Stratford' habet quandam valliam vocatam Prioriswal quam reparare tenetur et est nimis ruinoso et periculosa in maximum periculum totius patrie; et habet tam pasturam quam redditum de diversis tenentibus pro predicta walla custodienda in villa de Westhamme et oportet necessario quod emendetur aut ipsa dictam walliam in brevi reparare non sufficiet.

Per quod preceptum fuit vicecomiti quod venire faceret predictam priorissam etc.

Et modo scilicet die Iovis proxima post crastinam sancti Martini isto eodem termino coram domino rege apud Chelmersford' venit predicta priorissa per Thomam de Thorp' attornatum et allocuta est si quid pro se habeat vel dicere sciat quare predictam walliam reparare non debeat etc.: que dicit quod dudum tempore H. regis proavi domini regis nunc quidam Iohannes de Couele fuit seisitus de quadraginta tribus acris terre et dimidia simul cum prefata wallia modo vocata Prioressewalle, que tunc temporis vocabatur Coueleswalle, simul cum una hopa adiacente, que terra et hopa tunc temporis integre onerate fuerunt de factura et reparacione eiusdem wallie; et postea idem Iohannes diu ante statutum de emptoribus terrarum et tenementorum de seisina sua dimisit diversis tenentibus totam predictam terram walliam et hopam particulatim tenendas de ipso Iohanne et heredibus suis per certa servicia et redditum quatuordecim solidorum annuatim eisdem solvendorum; qui quidem Iohannes postea concessit omnia servicia sua predicta simul cum toto feodo et dominio omnium tenencium suorum et tenementorum predictorum cuidam Simoni de Passelewe et postea per diversas alienaciones de manu ad manum sic inde factas eadem servicia simul cum toto feodo et dominio predictis iam deveniunt ad manus prioresse de Stratford' antedictae et successorum suorum: quem redditum quatuordecim solidorum dicta prioressa solomodo nunc percipit: et dicit quod nullam particulam terrarum aut tenementorum de factura et reparacione wallie predictae superius oneratorum tenet vel habet in dominico, prout coram Henrico Gernet et sociis suis ad supervidendum wallias fossata gutteras seweras etc. per costeram aque Tamisie in comitatu Essex' anno decimo regis nunc assignatis: coram quibus omnia predicta per inquisitionem coram eis apud Westhame in festo Sancti Edmundi regis

anno supradicto captam fuerant comperta et per eosdem iusticiarios tunc temporis adiudicatum quod dicta prioressa ad aliquam reparacionem seu contribucionem in hac parte faciendam ultra debitam porcionem tenure sue in eadem villa nullatinus distringatur seu compellatur: et profert hic in curiam recordum predictum sub magno sigillo domini regis exemplificatum quod hoc idem testatur cuius datum etc. apud Westmonasterium anno regni regis nunc terciodecimo: et petit iudicium si ad aliquam reparacionem wallie predictae ultra predictum redditum quatuordecim solidorum dominus rex eam velit in hoc casu onerare, pro quo quidem redditu semper fuit et adhuc est predictam walliam iuxta porcionem tenure sue reparare et emendare quocienscunque etc. et quando etc. Et quia dicta priorissa cognovit quod pro porcione tenure sue videlicet pro xiiij solidis tenetur dictam walliam reparare et emendare consideratum est quod dicta priorissa dictam walliam repararet et emendaret cum necesse fuerit pro porcione predicta.

The exemplification of the proceedings before the commissioners *de wallis et fossatis*, to which reference is made, is set out at length in the *Calendar of Patent Rolls*, 1338-1340, pp. 261-263.

XXVII.

BRIDGES NEAR GREAT AND LITTLE BRAXTED.

1. Presentment in Michaelmas term, 1351, at Chelmsford that Mary countess of Pembroke is bound to repair a bridge in the king's road to the south of Braxted Park, which is broken, and also a bridge called Briddynghobrigge between Kelvedon and Great Braxted, which is broken.

Precept to the sheriff.

On Monday, 21 November, the said countess came before the king at Chelmsford by Richard de Fryseby, her attorney, and said that she was bound to repair the said bridge of Braxted Park, but that it was in repair and not broken; and as to Briddynghobrigge she said that it was set up between her mill in Braxted and the town of Rivenhall for her easement and for her passage to the said mill and that at no time did she repair it or was bound so to do unless at her will and for her easement; and this she was ready to verify. And Simon de Kegworth, suitor for the king, was ready to verify that the said bridge in Braxted Park was broken and that the said countess was bound to repair Briddynghobrigge.

On Friday, 25 November, the aforesaid Simon and the said countess by her said attorney came before the king; and a jury came and said on their oath that the said bridge of Braxted Park was in repair and not broken and that the aforesaid countess was not bound to repair the said bridge of Briddynghobrigge unless at her will and for her easement in going to her

said mill. It was therefore considered that the countess should go without a day thereof.

2. Presentment in Michaelmas term, 1364, at Colechester, that a bridge at Newland is impassable in time of rain, and that the commoners say that the prior of the hospital of St. John of Jerusalem in England ought to repair it: and that he is bound to repair a bridge called Holmsbrigge by Holmes' Milne between Witham and Little Braxted, which is broken.

Precept to the sheriff.

On the octave of Trinity, 1366, the prior came before the king by Robert Wyghthill' his attorney and with regard to the repair of the bridge of Newland, as to which the commoners said that the said prior was liable, it was clear to the court upon examination of the indictments that they were insufficient; and the prior went without a day. As to Holmsbrigge aforesaid the said prior said that neither he nor his predecessors nor his proctors were bound to repair it and he craved an enquiry by the country. Michael de Skillyng, suitor for the king, said that he was so bound and craved an enquiry by the country. A jury was summoned for the octave of Michaelmas.

1. Coram Rege Roll, Mich., 25 Edward III. rex 35d.

Essex'. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentaverunt quod Maria comitissa de Penebrok' tenetur reparare quendam pontem in regali via ex parte australi de Braxstedepark' qui dirutus est ruinosus et contractus ad magnum dampnum et periculum populi per eundem transeuntis et quod eadem comitissa et omnes antecessores sui a tempore quo memoria non existit pontem illum fecerunt et reparaverunt et de iure facere et reparare tenentur: et quod eadem comitissa tenetur reparare quendam pontem vocatum Briddynghobrigge inter Kellevedene et Braxstede Magnam qui dirutus est ruinosus et contractus ad magnum dampnum et periculum omnium hominum ibidem transeuncium.

Per quod preceptum fuit vicecomiti quod venire faceret predictam comitissam etc.

Et modo scilicet die Lune proxima post octabas sancti Martini isto eodem termino coram domino rege apud Chelmersford' venit predicta comitissa per Ricardum de Fryseby attornatum suum et allocuta est si quid dicere sciat quare pontes predictos facere et reparare non debeat etc. Et predicta comitissa quo ad predictum pontem de Braxstedepark' non dedit quin illum pontem reparare et facere teneatur et [dicit] quod pons ille sufficiens est et non ruinosus neque contractus prout per presentationem predictam supponitur: et hoc parata est verificare etc. Et quo ad predictum pontem de Briddynghobrigge dicit quod pons ille erectus est inter molendinum ipsius comitis

in Braxstede et villam de Rewenhale pro aysiamento et via suis habendis ad molendinum predictum absque hoc quod eadem comitissa pontem illum aliquo tempore reparavit seu reparare teneatur nisi ad voluntatem suam et pro aysiamento suo habendo : et hoc parata est verificare etc.

Et Simon de Kegworth' qui sequitur pro domino rege dicit quod pons de Braxstedepark' ruinosus est et confractus et quod predicta comitissa predictum pontem de Briddinghobrigge reparare et sustentare tenetur prout superius presentatum est : et hoc paratus est verificare pro domino rege etc. : et predicta comitissa similiter. Ideo veniat inde iurata coram domino rege hic die Veneris in festo sancte Katherine virginis et qui nec etc. Ad quem diem coram domino rege ibidem venit tam predictus Simon qui sequitur etc. quam predicta comitissa per predictum attornatum suum et similiter iuratores venerunt : qui triati et iurati dicunt super sacramentum suum quod predictus pons de Braxstede Park' sufficiens est et non confractus neque ruinosus et quod predicta comitissa predictum pontem de Briddynghobrigge facere seu reparare non tenetur nisi ad voluntatem suam et pro aysiamento suo ad molendinum suum predictum habendo. Ideo consideratum est quod predicta comitissa eat inde sine die etc.

2. Coram Rege Roll, Mich., 38 Edward III. rex 24d.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod¹. . . quidam pons est apud Newelond valde ruinosus ita quod nemo potest ibidem transire quando fluvia venit ad grave dampnum patrie; et communatores dicunt quod prior hospitalis sancti Iohannis Ierusalem in Anglia pontem predictum deberet facere et reparare Item predictus prior tenetur facere unum pontem qui vocatur Holmsbrigg' inter Wytham et Baxstede (*sic*) Parva iuxta Holmis Milne qui dirutus est et confractus ad grave dampnum patrie quem quidem pontem ipse facere tenetur et hucusque predecessores sui fecerunt. . .¹

Per quod preceptum fuit vicecomiti quod venire faceret predictum priorem etc.

Et postea scilicet in octabis sancte Trinitatis anno regni domini regis nunc quadragesimo venit predictus prior per Robertum Wyghthill' attornatum suum¹ . . . et quo ad hoc quod presentatum est quod communatores dicere deberent quod predictus prior facere tenetur

¹ Here follow proceedings against the prior for having possession of a defective measure and for acquiring the manor of Wexhamhalle in violation of the statute *de religiosis*.

pontem apud Newelond inspectis indictamentis predictis et plenius examinatis liquet curie manifeste quod indictamenta minus sufficiencia sunt et nullius valoris. Ideo consideratum est quod predictus prior quo ad illa indictamenta eat inde sine die etc. Et quo ad omnia alia indictamenta predictus prior allocutus est si quid pro se habeat vel dicere sciat quare¹ . . . ipse pontem predictum facere et reparare non debeat, qui dicit¹ . . . quod ipse pontem predictum facere seu reparare non tenetur nec ipse nec successores (sic) seu procuratores sui pontem predictum fecerunt nec de iure facere seu reparare consueverunt et hoc petit quod inquiretur per patriam etc. Et Michael de Skillyng' qui pro domino rege sequitur etc. dicit quod predictus prior¹ . . . tenetur facere et reparare pontem vocatum Holmesbrigge inter Witham et Braxsted Parva: et hoc pro domino rege petit quod inquiretur per patriam: et predictus prior similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Michaelis ubicumque etc. ad recognoscendum etc.

Briddyngho is identified by Morant with Bennington Hall or Benton Hall, about a mile S.E. of Witham,² but this does not agree with the statement that the bridge lay between Kelvedon and Great Braxted. It is almost certainly the wooden bridge which still crosses the Blackwater east of Durwards. Morant may have confused two estates in the same locality, which had a similar devolution. Newland and Howbridge are both in the parish of Witham, and Morant identifies Humbridge Hall with Howbridge, though it does not appear to have belonged to the Hospital of St. John of Jerusalem. Holmesbrigge is probably the bridge close to Little Braxted church and mill.

XXVIII.

BRIDGES NEAR HARLOW.

Presentment in Michaelmas term, 1351, at Chelmsford that the bridge called Zildebrigge is broken and that the abbot of Bury St. Edmunds and John Fitz Wauter are bound to repair it: and that the same abbot is also bound to repair Walbregge, which is broken.

Precept to the sheriff.

On Monday, 28 November, the said abbot came before the king at Chelmsford by Stephen de Holburn', his attorney, and did not deny that he was liable for the repair of Zildebrigge but said that it was in repair and not broken; as to Waldebrigge bridge he said that it crossed a river on the borders of Essex and Hertfordshire, and that the countess of Pembroke was bound to repair the bridge on the side of Essex and he himself on the Hertfordshire

¹ Here follow proceedings against the prior for having possession of a defective measure and for acquiring the manor of Wexhamhalle in violation of the statute *de religiosis*.

² ii. 111.

side, and he further said that he is not bound to answer the presentment because a jury of Essex have no cognisance of anything done in another county: and he craved judgment. And Simon de Kegworth, suitor for the king, said that the said bridge of Zildebrigge was broken and that the said bridge of Waldebrigge was wholly in Essex and ought to be repaired by the said abbot, as he was ready to verify.

On Friday, 25 November, the aforesaid Simon and the said abbot came before the king, and a jury came and said that the bridge of Zildebrigge was in repair and not broken, and that the said bridge of Waldebrigge crossed Stortford river, and half of it was in Hertfordshire and half in Essex, and that the aforesaid countess was bound to repair the half that was in Essex. Therefore the abbot went without a day: and the sheriff was ordered to cause the appearance of the said countess on the octave of Hilary.

Coram Rege Roll, Mich., 25 Edward III. rex 35d.

Essex'. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentarunt quod †pons vocatus Zildebregg' qui dirutus est ruinosus et confractus ad magnum dampnum et periculum omnium hominum ibidem transire volencium† abbas de sancto Edmundo Iohannes Fitz Wauter pontem illum reparare et facere de iure tenentur et quod ipsi et eorum predecessores a tempore quo memoria non existit pontem illum fecerunt et reparaverunt: et quod idem abbas simili modo pontem vocatum Walbregge qui dirutus est et confractus de iure facere et reparare tenetur etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictos abbatem etc.

Et modo scilicet die Lune proxima post festum sancte Katerine Virginis isto eodem termino coram domino rege apud Chelmersford' venit predictus abbas per Stephanum de Holburn' attornatum suum et allocutus est si quid pro se dicere sciat quare pontes predictos reparare non debeat etc.: et predictus abbas quo ad predictum pontem de Zildebrigge dicit quod non potest dedicere quin ipse pontem illum de iure facere et reparare teneatur etc. set dicit quod pons ille sufficiens est et non ruinosus neque confractus sicut per presentacionem predictam supponitur et hoc paratus est verificare etc. et petit iudicium etc. Et quo ad pontem de Waldebrigge dicit quod pons ille se extendit ultra quandam aquam in confinio comitatum Essex' et Hertford' et quod partem eiusdem pontis in comitatum Essex' extendentis (*sic*) comitissa de Pembrok' facere tenetur et quod ipse alteram partem eiusdem pontis in comitatum Hertford' extendentis ipse reparare tenetur; et dicit ulterius quod ad istam presentacionem non tenetur respondere eo

quod iuratores istius comitatus cognicionem de aliquo facto in alio comitatu per legem terre habere non possunt : et petit iudicium etc.

Et Simon de Kegworth' qui sequitur pro domino rege dicit quod predictus pons de Zildebrigge dirutus est confractus et ruinosus et quod predictus pons de Waldebrigge integre est in comitatu Essex' et quod pons ille dirutus est et confractus et quod idem abbas pontem illum de iure reparare tenetur et hoc paratus est verificare pro domino rege etc. Et predictus abbas similiter.

Ideo veniat inde iurata coram domino rege hic die Veneris proxima post festum sancti Clementis etc. Ad quem diem coram domino rege apud Chelmersford' venit tam predictus Simon qui sequitur etc. quam predictus abbas per predictum attornatum suum et similiter iuratores venerunt : qui electi triati et iurati dicunt super sacramentum suum quod predictus pons de Zildebrigge sufficiens est et non ruinosus neque confractus et quod predictus pons de Waldebrigge se extendit ultra quandam ripam vocatam Storteford Ryver et dicunt quod dimidium illius pontis est in comitatu Hertford' et quod aliud dimidium est in comitatu Essex' et quod predicta comitissa illud dimidium pontis in comitatu Essex' sic extendentis de iure facere et reparare tenetur. Ideo consideratum est quod idem abbas eat inde sine die etc. Et preceptum est vicecomiti quod venire faciat predictam comitissam ad respondendum domino regi super premissis etc. et qualiter etc. vicecomes scire faciat domino regi in octabis sancti Hillarii ubicumque etc.

Zildebrig' is now Ealing Bridge, about a mile and a half N.E. of Harlow. Walbregge has disappeared.

XXIX.

BRIDGES AT RAMSDEN CRAYS.

Presentment in Michaelmas term, 1351, at Chelmsford that Ralph de Hemenhale is bound to repair a bridge called Boldesbrigge in Ramsden Crays, which is broken, and that he and Adam de Erdale are bound to repair a bridge called Bradewaterbrigge in the said Ramsden, which is likewise broken.

Precept to the sheriff.

On Saturday, 19 November, the said Ralph appeared by his attorney and Adam in person and acknowledged that the said bridges were broken and that they were bound to repair them. They were in mercy and were to be distrained to make the necessary repairs and the sheriff was to return on the quinzaine of Easter.

Coram Rege Roll, Mich., 25 Edward III. rex 37d.

Essex'. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentaverunt quod Radulfus de Hemenhale chivaler de iure tenetur reparare quemdam pontem vocatum Boldesbrig' in Ramesdenecraye qui dirutus ruinosus est et confractus ad nocumentum omnium hominum eiusdem patrie et quod idem Radulfus et Adam de Erdale ~~de~~ iure tenentur facere et reparare quemdam pontem vocatum Bradewaterbrigg' in eadem villa de Ramesdene qui similiter ruinosus dirutus est et confractus ad nocumentum omnium hominum eiusdem patrie.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Radulfum et Adam etc.

Et modo scilicet die sabbati proxima post octabas sancti Martini apud Chelmersford' venit predictus Radulfus per attornatum suum et predictus Adam in propria persona sua similiter venit et allocuti sunt separatim qualiter de premissis sibi impositis se velint acquietare: qui non dedicunt quin pontes predicti in parte ruinosi sunt et confracti et quod ipsi ~~pontes~~ illos facere tenentur modo quo superius presentatum est. Ideo ipsi in misericordia et distringantur ad pontes illos faciendos et reparandos etc. et qualiter etc. vicecomes scire faciat domino regi a die Pasche in xv dies ubicumque etc.

XXX.**BRIDGES AND ROADS NEAR CHELMSFORD AND FEERING.**

1. Presentments in Michaelmas term, 1351, at Chelmsford that Chelmsford bridge between Chelmsford and Moulsham is broken and that Ralph bishop of London and the abbot of Westminster are bound to repair it: and that John de Bowun knight and the said abbot are bound to repair a bridge called Estrefordebrigge between Feering and Kelvedon, which is broken: and that the said abbot is bound to repair another bridge in Feering adjacent to the latter, which is broken.

Precepto to the sheriff.

On Friday, 25 November 1351, the said bishop and abbot and the said John came before the king at Chelmsford by Thomas de Thorp, their attorney, and acknowledged their several liability to repair the aforesaid bridges, the bishop to repair the half of Chelmsford bridge from midstream towards Chelmsford, John Bowun to repair the half of Estrefordebrigge towards Kelvedon, and the abbot the halves of Chelmsford bridge and Estrefordebrigge towards Moulsham and Feering respectively, and the whole of the bridge

in Feering above named : but they said that all three bridges were in repair, as they were ready to verify. Simon de Kegworth, the king's suitor, said that the aforesaid bridges were broken, as he was ready to verify.

On Thursday, 1 December, both the said Simon came and the said bishop and abbot and the said John came by their attorney and the jurors came and said with regard to the said abbot and John that the half of Chelmsford bridge towards Moulsham was broken, that Estrefordebrigge was likewise broken and that the bridge in Feering adjacent to the latter was in repair. Therefore the abbot went without a day as to the last named bridge, and he and the aforesaid John were in mercy with regard to the others and were to be distrained to fulfil their portions of the repairs ; and the sheriff was to return on the quinzaine of Easter next.

2. Presentment in Michaelmas term, 1364, at Colchester that the abbot and convent of Westminster have a ruinous road between Coggeshall and Colchester, a quarter of a league in length, which they ought to repair by reason of their lands and tenements in Feering, and that they have a road from Estreford Bridge to Coggeshall, half a league in length, which they ought to repair and which is not repaired.

3. Presentment in the same term that Kingsford Bridge is broken which the abbot and convent of St. John, Colchester, ought to repair, and that the said abbot ought also to repair a certain road by reason of his lands in Feering, to wit at the land late of Hugh de Feering between Tey atte Elmes and Coggeshall, which is not repaired.

Precept to the sheriff.

On Monday, 18 November, the said abbot came in person before the king at Colchester and acknowledged his liability to repair the said bridge and was in mercy and the sheriff was ordered to distrain ; but he said that neither he nor any tenants of his lands in Feering nor any predecessors in their estate had been accustomed or bound to repair the road ; and he and Richard de Fryseby, suitor for the king, put themselves upon the country. On Saturday 30 November a jury came and said that neither the abbot nor his predecessors or tenants were bound to repair the said road but that he, like other holders of land there, is bound to repair a ditch adjacent to the said road ; and that the abbot of Westminster was lord of Feering and held 120 perches of ditch on the other side of the said road which were not cleaned and which he ought to clean and that the said road was weakened because these and other ditches were not cleaned ; and that the steward and ministers of the abbot of Westminster suffered no such nuisance to be presented at his courts leet and no presentment could be made for 30 years past, whereby the road was greatly damaged ; and they say that the ditch of the abbot of Colchester was well cleaned. He therefore went without a day.

4. Presentment by jurors of Colchester [7-13 Rich. II.] that Feering bridge is broken and that the abbot of Westminster ought to repair it because he and his predecessors is and were lords of the soil on each side of the aforesaid bridge.

1. Coram Rege Roll, Mich., 25 Edward III. rex 39.

Essex'. Iuratores diversorum hundredorum comitatus *Essex*' termino sancti Michaelis anno regni regis nunc Anglie vicesimo quinto coram domino rege apud Chelmersford' presentaverunt quod pons de Chelmersford' inter Chelmersford' et Mulsham in parte dirutus est ruinosus et contractus ad magnum periculum omnium hominum per eundem pontem transeuncium et quod Radulfus episcopus London' et abbas Westmonasterii pontem illum reparare et sustentare tenentur et quod ipsi et predecessores sui a tempore quo memoria non existit pontem illum reparaverunt et sustentaverunt et de iure tenentur reparare et facere : et quod Iohannes de Bowun miles et abbas Westmonasterii tenentur reparare pontem vocatum Estrefordebrigge inter Kelleveden' et Feryng' qui dirutus est contractus et ruinosus ad magnum nocumentum et periculum hominum per eundem pontem transeuncium, quem quidem pontem de iure tenentur reparare et ipsi et eorum antecessores a tempore quo non est memoria fecerunt et reparaverunt : et quod predictus abbas tenetur reparare alium pontem iuxta predictum pontem in Feryng' et non reparatur ad nocumentum omnium hominum per eundem pontem transire volencium.

Per quod preceptum fuit vicecomiti quod venire faceret predictos episcopum abbatem et Iohannem de Bowun ad respondendum etc.

Et modo scilicet die Veneris in quindena sancti Martini hoc anno coram domino rege apud Chelmersford' venerunt predicti episcopus abbas Westmonasterii et Iohannes de Bowun per Thomam de Thorp' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontes predictos non reparaverunt ut tenentur sicut super eos presentatum est : et predicti episcopus et abbas separatim dicunt quod quo ad pontem de Chelmersford' inter Chelmersford' et Mulsham quod episcopus tenetur reparare medietatem pontis illius versus villam de Chelmersford' se extendentis usque ad medium fili aque subtus dictum pontem currentis et abbas dicit quod ipse tenetur reparare aliam medietatem pontis illius versus Mulsham se extendentis usque ad medium fili dicte aque currentis et dicunt separatim quod pons ille sufficiens est et non ruinosus neque contractus prout per presentationem supponitur et hoc paratus est (*sic*) verificare : et quo ad pontem vocatum Estrefordebrygge inter Kelveden' et Feryng', quam presentacio supponit abbatem Westmonasterii et Iohannem de Bown militem teneri facere et reparare, predicti abbas et Iohannes dicunt separatim quod abbas tenetur facere medietatem pontis illius versus Feryng' se extendentis usque ad medium fili cuiusdam aque subtus dictum pontem

currentis et Iohannes dicit quod ipse tenetur facere aliam medietatem eiusdem pontis versus Kelleveden' se extendentis usque ad filum dicte aque subtus pontem illum currentis et dicunt separatim quod pons ille sufficiens est et non ruinosus neque confractus prout per presentationem supponitur et hoc paratus est verificare: et quo ad quendam pontem iuxta pontem in Feryng' super dictum abbatem presentatum predictus abbas non dedit quin pontem illum tenetur reparare et emendare set dicit quod pons ille sufficiens est et non ruinosus neque confractus prout per presentationem predictam supponitur et hoc paratus est verificare. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod omnes pontes illi sunt confracti et ruinosi prout per presentationem predictam supponitur et hoc paratus est verificare pro domino rege: et predicti episcopus abbas et Iohannes de Bown miles similiter. Ideo veniat inde iurata coram domino rege hic die Iovis proxima post festum sancti Andree apostoli etc.

Ad quem diem coram domino rege apud Chelmersford' venit tam predictus Simon qui sequitur etc. quam predicti episcopus abbas et Iohannes de Bowun per attornatum suum et similiter iuratores venerunt: qui super predictos abbatem et Iohannem de Bowun electi triati et iurati dicunt super sacramentum suum quod medietas predicta pontis de Chelmersford quam dictus abbas facere et reparare tenetur ruinosus est et in parte confracta et quod predictus pons de Estrefordbrigge quem predictus abbas et Iohannes de Bowun facere et reparare tenentur similiter ruinosus est et confractus et dicunt quod pons iuxta predictum pontem de Feryng' sufficiens est et non ruinosus. Ideo quo ad hoc dictus abbas eat sine die etc. et pro predictis pontibus sic ruinosus etc. idem abbas et predictus [Iohannes de] Bowun in misericordia etc. et distringatur quilibet pro porcione sua ad predictos pontes faciendos et reparandos etc. et qualiter etc. vicecomes scire faciat domino regi a die Pasche in xv dies ubicumque etc.

2. Coram Rege Roll, Mich., 38 Edward III. rex 21.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colecestre presentaverunt quod abbas Westmonasterii et eiusdem loci conventus habent quandam viam ruinosam inter villam de Coggeshale et villam de Colecestre per quarterium unius leuci que quidem via debet reparari per ipsum abbatem et predecessores suos racione terrarum et tenementorum in Feryng' et non est reparata ad maximum dampnum tocius patrie: et quod idem abbas et eiusdem loci conventus habent quandam viam de ponte de Estreford' usque Coggeshale per spacium dimidii leuci, que quidem

via est ruinosa et deberet reparari per dictos abbatem et conventum et omnes predecessores sui a tempore quo non extat memoria viam illam de iure reparare tenentur et non est reparata ad magnum nocumentum tocius patrie.

Per¹

3. Coram Rege Roll, Mich., 38 Edward III. rex 42.

Essex. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt² . . . quod pons vocatus Kyngesfordbrigg' dirutus est et confractus ad maximum dampnum et periculum omnium hominum ibidem trans-euncium, quem quidem pontem abbas sancti Iohannis Colcestre et eiusdem loci conventus de iure reparare et sustentare tenentur et quod ipsi et omnes predecessores sui abbates loci predicti pontem predictum facere et reparare consueverunt prout de iure tenebantur. Item presentaverunt quod predictus abbas habet quandam viam quam idem abbas virtute terrarum suarum in Feryng' debet reparare videlicet apud terram nuper Hugonis de Feryng' ibidem inter Tey atte Elmes et Coggeshale et omnes tenentes terrarum illarum semper hactenus viam illam reparare consueverunt que quidem via non est reparata ad magnum dampnum tocius patrie³ . . .

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem ad respondendum etc.

Et modo scilicet die Lune proxima post festum sancti Martini isto eodem termino coram domino rege apud Colcestre venit predictus abbas in propria persona sua et super premissis allocutus est si quid³. . . dicere sciat quare ad pontem vocatum Kyngesford Brigg' et predictam viam inter Teye et Coggeshale reparandos et sustentandos distringi non debeat etc.² . . . : qui quidem abbas quoad reparacionem pontis predicti etc. dicit quod ipse non potest dedicere quin ipse pontem predictum reparare et sustentare tenetur prout super ipsum presentatum est. Ideo idem abbas pro non reparacione predicta in misericordia: et idem abbas distringatur ad pontem predictum reparandum etc. et preceptum est vicecomiti quod non omittat etc. quin distringat predictum abbatem per omnes terras etc. ita quod securus sit quod dictus pons per predictum abbatem et successores suos reparetur et sustentetur etc. Et quo ad hoc quod presentatum est quod idem abbas virtute

¹ The entry is unfinished.

² Here follow indictments etc. of William Stucle and other monks of St. John, Colchester, for assaults on the prior of St. Botolph, Colchester.

³ Here follow presentments etc. of offences by the abbot against the statute *De religiosis*.

terrarum suarum in Fering' debet reparare quandam viam apud terram nuper Hugonis de Feryng' inter Tey atte Elmes et Coggeshale et omnes tenentes terrarum illarum semper hactenus viam illam reparare consueverunt etc., idem abbas dicit quod nec ipse nec aliqui tenencium terrarum suarum in Feryng' nec illi quorum statum ipsi modo habent in terris predictis unquam reparaverunt nec reparare consueverunt nec tenentur reparare et de hoc ponit se super patriam¹. .² Et Ricardus de Fryseby qui sequitur pro domino rege dicit quod predictus abbas viam predictam reparare tenetur et quod omnes terrarum et tenementorum tenentes ibidem a tempore quo non extat memoria fecerunt et reparaverunt ratione terrarum predictarum et hoc pro domino rege paratus est verificare per patriam etc.: et predictus abbas similiter etc. Ideo veniat inde iurata coram domino rege hic die Sabbati in festo Sancti Andree apostoli et qui nec etc. Ad quem diem coram domino rege ibidem venit predictus abbas per predictum attornatum suum et similiter iuratores venerunt, qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus abbas non tenetur viam predictam facere seu reparare nec quod ipse nec aliquis predecessorum suorum seu tenencium terrarum predictarum aliquo tempore reparaverunt fecerunt nec facere consueverunt set dicunt quod idem abbas habet ibidem iuxta viam predictam quoddam fossatum adiacens terre sue ibidem quod de iure mundare tenetur ratione terrarum et tenementorum suorum ibidem quociens necesse fuerit pro emendacione vie predictae sicut ceteri tenentes terrarum et tenementorum ibidem mundare tenentur: et dicunt quod abbas Westmonasterii est dominus dicte ville de Feryng et habet ibidem centum et viginti perticatas fossati terre sue adiacentes ex altera parte vie predictae que ruinosae sunt et non munate, que fossata idem abbas tenetur mundare et causa non mundacionis eorundem fossatorum et aliorum fossatorum vicinorum ibidem iuxta eandem viam ex utraque parte eiusdem vie adiacencium dicta via debilitatur ad maximum dampnum omnium hominum patrie ibidem transeuncium et dicunt quod senescallus et ministri dicti abbatis Westmonasterii nolunt pati in letis dicti abbatis quod huiusmodi nocumentum presentetur nec potuit per plures annos elapsos presentari, per quod eadem via multo peioratur causa predicta. Et dicunt iidem iuratores quod fossatum dicti abbatis sancti Iohannis bene mundatur et non est aliquod defectum (*sic*) in eo. Ideo consideratum est quod

¹ Here follow indictments etc. of William Stucle and other monks of St. John, Colchester, for assaults on the prior of St. Botolph, Colchester.

² The remainder of the text is taken from the second entry on this membrane, which contains only those portions of the first entry which relate to this presentment.

predictus abbas eat inde sine die etc. et quod distringatur ad fossatum illud mundandum quociens necesse fuerit etc.

4. Ancient Indictments File 25 m. 18.

Villa de Colcestr'.

Iuratores presentant . . . quod pons de Feryng est confractus et ruinosus ad grave dampnum et periculum tocius populi per pontem predictum transeuncium et quod abbas Westmonasterii pontem predictum reparare et emendare tenetur pro eo quod ipse et predecessores sui sunt et fuerunt domini soli ex utraque parte pontis predicti.

Morant¹ gives Easterford as a variant name of Kelvedon, and Estreford bridge would therefore be the bridge now called Kelvedon Bridge. It forms part of the boundary between Kelvedon and Feering and there is a smaller bridge on the Feering side. Kingsford bridge is in Layer de la Haye, where the road to Colchester crosses the Roman river.

There is a long account in Morant² of Howchin's in Feering, which appears to be the estate of Hugh de Feryng, the holders of which were presented as liable for the repair of the road between Coggeshall and Teye atte Elmes. It is perhaps worth noting that this is a typical case of a locality where several religious houses had important rights and where public order was likely to suffer in consequence. On a larger scale, the same combination of circumstances occurred in Beverley where the archbishop of York and the provost of Beverley were in rivalry.

XXXI.

BRIDGE NEAR GREAT WALTHAM.

Presentment in Michaelmas term, 1351, at Chelmsford that Winckford bridge is broken and ought to be repaired by the townships of Little Waltham, Great Waltham, Great Leighs and Broomfield.

Precept to the sheriff.

On Saturday, 19 November, the men of the said townships came before the king at Chelmsford and said that they were not bound to repair and had never repaired the said bridge and they sought the verdict of the country; Simon de Kegworth, suitor for the king, said that they were so bound and had repaired the said bridge, as he is prepared to verify.

On Thursday, 21 November, the men of the aforesaid townships came before the king at Chelmsford; and the jurors came and said that the bridge extends into the towns aforesaid, and was at first and until the present time made and repaired by the alms of men of the said townships and of others crossing it, and that the men of the said townships have contributed nothing to its making except of their alms and free will; the said jurors, being asked who would be bound to repair the said bridge if it were broken and alms

¹ ii. 150.

² ii. 172.

failed, said that the men of the said townships for their own advantage and easement are so bound as the bridge is on their soil, and that the town of Great Waltham because it is to the greater easement of that township is bound to repair one half of the aforesaid bridge and the other townships the other half in equal portions. The court was not yet minded to give judgment and a day for judgment was given before the king on the octave of Hilary next.

Coram Rege Roll, Mich., 35 Edward III. rex 40d.

Essex. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentaverunt quod pons de Wynkeford' defractus est periculosus et ruinosus ad maximum dampnum et periculum omnium hominum ibidem transeuncium: qui quidem pons per homines villatarum de Parva Waltham Magna Waltham Magna Leyghes et Bromffeld deberet reparari et per homines earundem villatarum ante hec tempora extitit reparatus.

Per quod preceptum fuit vicecomiti quod venire faceret homines villatarum predictarum ad respondendum etc.

Et modo scilicet die sabbati proxima post octabas Sancti Martini isto eodem termino coram domino rege apud Chelmersford' venerunt homines villatarum predictarum et allocuti sunt si quid pro se habeant vel dicere sciant quare pontem predictum reparare non debeant etc.: qui dicunt quod ipsi pontem predictum reparare non tenentur nec quod ipsi pontem illum aliquo tempore reparaverunt et hoc parati sunt verificare per patriam etc. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod homines villatarum predictarum pontem predictum reparare tenentur et illum reparaverunt prout in presentacione predicta supponitur et hoc paratus est verificare pro domino rege etc.: et homines predicti similiter. Ideo veniat inde iurata coram domino rege hic scilicet apud Chelmersford' die Iovis proxima post festum sancti Clementis etc. Ad quem diem coram domino rege apud Chelmersford' venerunt homines predicti in propriis personis suis; similiter iuratores venerunt, qui electi triati et iurati dicunt super sacramentum suum quod predictus pons se extendit in villis predictis: qui quidem pons primo per elemosinam tam hominum villatarum predictarum quam aliorum per ibidem transeuncium factus erat et reparatus et semper hucusque per huiusmodi elemosinam extitit constructus et quod homines eorundem (*sic*) villatarum nunquam aliquid ad fabricam illius pontis nisi de elemosina et mera voluntate sua contribuerunt: iuratores quesiti si elemosina in hac parte deficeret et pons ille contractus fuerit et ruinosus quis vel qui pontem illum facere et reparare teneantur qui (*sic*) dicunt quod homines villatarum predictarum pro

commodo et aisiamento suo eo quod situatus est super solum earundem villatarum pontem predictum reparare et facere tenentur et quod homines ville de Magna Waltham dimidiam partem pontis predicti facere tenentur eo quod est ad magus [sic] aisiamentum hominum eiusdem villate et quod homines aliarum villatarum predictarum videlicet qualibet villata per equalem porcionem alteram partem eiusdem pontis facere tenentur et reparare. Et quia curia nondum advisatur ad iudicium inde reddendum etc. datus est eis dies coram domino rege in octabis sancti Hillarii ubicumque etc. de audiendo inde iudicio etc.

Winckford bridge is in the village of Little Waltham, and, unless the relative size of the various parishes was the underlying reason, it is hard to reconcile the verdict of the jury with the actual facts of the case.

XXXII.

WIDFORD BRIDGE.

Presentment in Michaelmas term, 1351, at Chelmsford, that Widford bridge is broken and that Robert de Ufford, earl of Suffolk, guardian of the manor there, late John Bacon's, is bound to repair it.

Precept to the sheriff.

On Friday, 25 November, the aforesaid earl came before the king at Chelmsford and said that he was bound to repair half the said bridge and that part was now in good repair, and that the men of the aforesaid township of Widford were bound to repair the other half, as he was ready to verify : and Simon de Kegworth, suitor for the king, said the whole of the bridge was broken and ought to be repaired by the said earl, as he was ready to verify.

A day was given before the king on the octave of Hilary.

Coram Rege Roll, Mich., 35 Edward III. rex 43.

Essex'. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presenterunt quod pons de Wydeford' dirutus est et contractus ad magnum dampnum et periculum omnium hominum ibidem transcuncium et quod Robertus de Ufford' comes Suff' pro custodia manerii nuper domini Iohannis Bacoun de Wydeford' in manu sua existentis pontem illum facere et reparare de iure tenetur et quod ipse et manerium predictum tenentes a toto tempore quo memoria non existit pontem illum reparaverunt et facere consueverunt.

Per quod preceptum fuit vicecomiti quod venire faceret predictum comitem etc.

Et modo scilicet die Veneris in festo Sancte Katerine virginis isto

eodem termino coram domino rege apud Chelmersford' venit predictus comes per ¹ et allocutus est si quid dicere sciat quare predictum pontem facere et reparare non debeat: qui dicit quod non potest dedicere quin dimidiam partem pontis predicti facere et reparare debeat et dicit quod pars illa modo sufficiens est et non ruinosam et hoc paratus est verificare etc. Et quo ad aliam partem pontis predicti dicit quod ipse non tenetur partem illam facere seu reparare, immo tenentes ville predictae illam facere tenentur et facere consueverunt et hoc paratus est verificare etc. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod predictus pons omnino dirutus est et confractus et quod predictus comes pontem illum de iure reparare et facere tenetur sicut superius presentatum est et hoc paratus est verificare pro domino rege etc. et predictus comes similiter. Ideo veniat inde iurata coram domino rege in octabis Sancti Hilarii ubicumque etc.²

XXXIII.

BRIDGE BETWEEN BUTTSBURY AND MOUNTNESSING.

Presentment in Michaelmas term, 1351, at Chelmsford that Robert Bacoun, knight, is bound to repair Wolvesdonebrigge between Mountnessing and Buttsbury by reason of four acres of meadow called Wolvesdonemede belonging to his manor of Bacons and that the bridge is now broken.

Precept to the sheriff.

On Tuesday, 22 November, the said Robert came before the king at Chelmsford in person and acknowledged that he was bound to repair the said bridge and that it was broken. He was therefore in mercy and the sheriff was ordered to distrain and to return on the octave of Hilary.

Coram Rege Roll, Mich., 35 Edward III. rex 43.

Essex'. Iuratores diversorum hundredorum comitatus Essex' isto eodem termino coram domino rege apud Chelmersford' presentaverunt quod Robertus Bacoun chivaler de iure tenetur facere quandam pontem vocatum Wolvesdonebrigge inter villas de Gynge Goyberd Laundry et Gynge Mounteny racione quatuor acrarum prati vocatarum Wolvesdonemede manerio suo de Gynge Bacoun spectancium et quod ipse et omnes tenentes prati predicti pontem illum a tempore quo memoria non existit fecerunt et reparaverunt et quod pons ille ob defectum predicti Roberti modo omnino dirutus est et confractus ad

¹ A space is here left blank for the attorney's name.

² An entry on *Coram Rege Roll*, Trin., 27 Edw. III. rex 24 records the issue of a writ to the sheriff to summon a jury returnable in Michaelmas term, in consequence of his failure to return a writ previously issued in this cause.

magnum nocumentum et periculum omnium hominum ibidem trans-euncium.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Robertum etc.

Et modo scilicet die Martis proxima post octabas sancti Martini isto eodem termino coram domino rege apud Chelmersford' venit predictus Robertus in propria persona sua et allocutus est si quid pro se dicere sciat quare pontem predictum reparare non debeat: qui expresse cognovit quod ipse pontem illum de iure facere tenetur et quod pons ille dirutus est et confractus sicut superius presentatum est. Ideo ipse Robertus in misericordia. Et preceptum est vicecomiti quod distringat ipsum Robertum ad predictum pontem faciendum et reparandum etc. et qualiter etc. vicecomes seire faciat domino regi etc. in octabis sancti Hillarii ubicumque etc.

XXXIV.

LANDFORD BRIDGE.

Presentment in Hilary term, 1352, at Chelmsford, that the bridge called Landfordbregge is broken by default of the prior of St. Bartholomew, London, who together with William Bedel of Hatfield is bound to repair it.

Precept to the sheriff.

On the quinzaine of Easter the aforesaid prior came in person before the king at Bedford and said that neither he nor his predecessors were at any time bound to repair the said bridge and he put himself upon the country. A jury was summoned for the octave of Trinity.

On the octave of Hilary, 1357-8, the aforesaid prior came before the king at Westminster by Stephen de Holbourn his attorney and said that neither he nor his predecessors were at any time bound to repair the said bridge; and Simon de Kegworth, suitor for the king, said the prior was so bound: and he and the prior sought the verdict of the country. A jury was summoned for the quinzaine of Easter.

Coram Rege Roll, Easter, 26 Edward III. rex 12.

Essex'. Iuratores diversorum hundredorum comitatus Essex' alias coram domino rege scilicet termino sancti Hillarii anno regni regis nunc Anglie vicesimo sexto apud Chelmersford' presentaverunt quod pons vocatus Landfordbregg' est confractus et ruinosus ob defectum prioris sancti Bartholomei London', quem pontem ipse de iure facere tenetur simul cum Willelmo Bedel de Hatfeld' et ipse et predeces-

sores et antecessores sui toto tempore fecerunt¹. . . ita quod tunc preceptum fuit vicecomiti quod venire faceret predictum priorem ad respondendum etc.

Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege apud Bedeford' venit predictus prior in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum repparare et sustentare non tenetur¹. . . : dicit quod ipse pontem predictum reparare vel sustentare non tenetur nec predecessores sui aliquo tempore fecerunt . . . sicut superius super ipsum presentatum est etc. et de hoc ponit se super patriam etc. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc.

Coram Rege Roll, Hil., 32 Edward III. rex 16.

. . . Et modo scilicet in octabis sancti Hillarii isto eodem termino² coram domino rege apud Westmonasterium venit predictus prior per Stephanum de Holbourn' attornatum suum: et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et sustentare non debeat¹. . . : dicit quod nec ipse nec aliquis predecessorum suorum priorum loci predicti unquam pontem predictum reparaverunt nec sustentaverunt nec quod ipse pontem illum de iure reparare seu sustentare tenetur¹. . . Et Simon de Kegworth' qui sequitur pro domino rege dicit quod predictus prior pontem predictum reparare et sustentare tenetur.¹. . . et hoc pro domino rege offert verificare per patriam etc.: et predictus prior similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

This bridge may possibly be a bridge in Langford, which is near Hatfield Peverel and also Danbury, where the prior of St. Bartholomew, London, held land.

XXXV.

RIVER BETWEEN HAVERING AND RAINHAM.

1. Presentment in Hilary term, 1351-2, at Chelmsford that the prior of the Hospital of St. John of Jerusalem in England and John de Stounton knight are suffering the river between Havering and Rainham to be stopped

¹ Here follow proceedings against the prior for an offence against the statute *De religiosis*.

² Hil. 32 Edw. III., the date of the roll.

up so that the water is diverted over the adjacent pastures of Havering by their failure to cleanse the said river.

Precept to the sheriff.

On the quinzaine of Easter, 1352, the said prior and John came before the king at Bedford by Thomas de Thorp their attorney and said severally that each was bound to cleanse half the said river to the stream that ran by their land [in the direction of Rainham] and that each tenant in the direction of Havering was bound to cleanse the other half and that they were always ready to do their proper share, had the others in the other direction been ready; they were not bound to cleanse the whole of the river and they put themselves upon the country. Simon de Kegworth, suitor for the king, said that they were bound to cleanse the river, as it was presented, and he was ready to verify it by the country. A jury was therefore summoned for the octave of Trinity.

After postponements and the issue of a writ of *nisi prius*, on the octave of Trinity, 1355, the prior came before the king at Westminster and William de Shareshull, the king's chief justice, brought the verdict of the jury as follows:

Afterwards on Sunday, 10 May, at Stratford Langthorne, the aforesaid prior came before the said William and Hugh de Sadelyngstanes by his attorney and Simon de Kegworth likewise came; and the jurors said that the said prior was only bound to cleanse half the within named river up to the stream that ran by his land in Rainham, and each tenant in the direction of Havering was bound to cleanse the other half, and that the said prior and his predecessors were always ready to cleanse the river in the direction of Rainham and that the aforesaid river was not cleansed by default of the said tenants. Therefore the said prior went without a day and the sheriff was ordered to bring the said tenants before the king on the octave of Michaelmas.

2. As to the aforesaid John de Staunton, after postponements, the sheriff returned on the octave of Michaelmas, 1358, that the said John was dead. He was ordered to bring his heirs and the tenants of his lands before the king and after postponements he returned on the octave of Trinity, 1360, that the said John had no heirs and that Alice his wife was tenant of his lands, who came before the king by Stephen de Holbourn her attorney and said the same as the prior had said. A day was given her on the octave of Michaelmas and it was noted that the prior had gone without a day.

3. Presentment in Easter term, 1356, at Stratford Langthorne that by default of the men and tenants of Havering the aforesaid river was stopped up (as above).

Precept to the sheriff.

On the octave of Hilary, 1357-8, the aforesaid men and tenants came before the king at Westminster, namely the master of Hornchurch, John atte Doune, John le Cooke, William atte Elmes and Richard de Sutton by Thomas de Thorp, their attorney, and said that neither they nor their predecessors were bound to repair the said river; and they put themselves upon the country. Simon de Kegworth, suitor for the king, said that they were so

bound and sought the verdict of the country. A day was given on the quinzaine of Easter and the said men were in mercy because they came by grand distress.

After postponements, on the octave of Michaelmas the aforesaid master and the others and the said Simon came before the king at Westminster and the jurors came and said that the aforesaid master and the other tenants were bound to cleanse the said river in the direction of Havering toward their lands. They were therefore to be distrained to cleanse and repair the said river in form aforesaid.

1. Coram Rege Roll, Easter, 26 Edward III. rex 12.

Essex. Iuratores diversorum hundredorum comitatus Essex' alias coram domino rege scilicet termino s[ancti] Hillarii anno regni regis nunc Anglie vicesimo sexto apud Chelmersford' presentaverunt quod prior hospitalis sancti Iohannis Ierusalem in Anglia et Iohannes de Stounton' miles iniuste dimittunt ripariam inter Haveryng' et Reignham obstupatam esse, per quam cursus aque per tale impedimentum discurrens pasturas communitalis de Haveryng' iuxta dictam ripariam ad eiusdem communitalis gravem destruccionem penitus emersit in defectu mundacionis parcium supradictarum etc.: quam ripariam de iure mundare tenentur.

Ita quod tunc preceptum fuit vicecomiti quod venire faceret predictum priorem Hospitalis et Iohannem de Stounton' ad respondendum etc.

Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege apud Bedeford' venerunt predictus prior Hospitalis et Iohannes de Stounton' miles per Thomam de Thorp' attornatum suum etc. et allocuti separatim qualiter se velint de premissis sibi impositis acquietare dicunt separatim quod quilibet eorum medietatem riparie predictae usque ad filum aque extendentem [*sic*] penes terram suam tenetur mundare et quilibet tenens ex parte de Haveryngg' in forma predicta tenetur aliam medietatem mundare; et dicunt quod hucusque parati fuerunt et adhuc sunt mundare prout eis decet si alii ex parte altera fuissent parati et petunt iudicium etc. absque hoc quod tenentur ripariam integram mundare prout presentatum est et de hoc ponunt se super patriam. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod predictus prior et Iohannes tenentur ripariam predictam mundare prout presentatum est etc. et hoc pro domino rege paratus est verificare per patriam etc. Et predictus prior et Iohannes similiter: Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc.

Postea continuato inde processu versus dictum priorem per iuratas

positas in respectum usque a die sancti Hillarii in xv dies anno regni regis nunc Anglie vicesimo nono, ad quem diem coram domino rege venit predictus prior per attornatum suum predictum et predicta iurata tunc posita fuit in respectum usque in octabas sancte Trinitatis ubicumque etc., nisi W. de Sharesull' capitalis iusticiarius domini regis prius die dominica in quinque septimanis Pasche apud Stratford' Lange-thorn' venerit. Ad quas octabas Sancte Trinitatis coram domino rege apud Westmonasterium venit predictus prior per attornatum suum et predictus Willelmus coram quo etc. tulit hic veredictum iurate predictae coram eo habite in hec verba :

Postea die et loco infra contentis coram Willelmo de Sharesull' associato sibi Hugone de Sadelyngstanes per formam statuti etc. venit prior Hospitalis sancti Iohannis Ierusalem in Anglia infra nominatus per attornatum suum etc. et Simon de Kegworth' qui sequitur pro domino rege similiter venit: et iuratores venerunt qui tam de assensu predicti prioris quam predicti Simonis qui sequitur etc. dicunt super sacramentum suum quod predictus prior tenetur mundare medietatem riparie infrascripte usque ad filum aque extendentem versus terram predicti prioris in Reynham tantum et quod quilibet tenens ex parte de Haveryng' tenetur aliam medietatem mundare versus terram suam in forma predicta; et dicunt quod idem prior et omnes predecessores sui semper hucusque parati fuerunt et adhuc sunt mundare ripariam predictam ex parte sua de Reynham; et dicunt iidem iuratores quod per defectum tenencium de Haveryng' riparia predicta non mundatur set non per defectum predicti prioris seu predecessorum suorum etc. Ideo dictus prior eat inde sine die. Et preceptum est vicecomiti quod venire faciat predictos tenentes de Haveryng' coram domino rege in octabis sancti Michaelis ubicumque etc. ad respondendum etc.

2. Coram Rege Roll, Trin., 34 Edward III. rex 20d.

. . . Et continuato inde processu versus predictum Iohannem de Staunton' de die in diem et de termino in terminum usque in octabas sancti Michaelis anno regni regis nunc Anglie tricesimo secundo, ad quem diem vicecomes retornavit quod predictus Iohannes mortuus est, quod sufficienter testatum est in curia. Ideo preceptum est vicecomiti quod venire faciat heredes et tenentes terrarum et tenementorum predicti Iohannis ad respondendum etc. Et sic continuato inde processu versus prefatos heredes et tenentes de die in diem et de termino in terminum usque ad hunc diem scilicet in octabis sancte Trinitatis isto eodem anno, ad quem diem vicecomes retornavit quod

predictus Iohannes de Staunton' nullos habet heredes set quedam Alicia uxor predicti Iohannis est tenens terrarum et tenementorum predicti Iohannis: que quidem Alicia modo venit per Stephanum de Holbourn' attornatum suum et allocuta est qualiter de premissis sibi impositis se velit acquietare; dicit quod ipsa medietatem dicte reparie (*sic*) usque ad filum aque extendentem (*sic*) penes terram suam tenetur mundare et quilibet tenens ex parte de Haveryng' in forma predicta tenetur aliam medietatem reparare et dicit quod hunc (*sic*) usque parata fuit et adhuc est mundare prout decet si alii ex parte altera fuissent parati et petit iudicium etc. Et super hoc datus est ei inde dies usque in octabis sancti Michaelis ubicumque in statu quo nunc etc. eo quod curia. Et sciendum quod predictus prior quietus inde recessit prout patet per rotulum de termino Pasche anno vicesimo sexto.

3. Coram Rege Roll, Hil., 32 Edward III. rex 16.

Essex'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc Anglie tricesimo coram domino rege apud Stratford' Langethorn' presentaverunt quod homines et tenentes de Haveryng' iniuste dimittunt ripariam inter Haveryng' et Reynham esse obstupatam, per quam cursus aque per tale impedimentum decurrens pasturas communitatis de Haveryng' iuxta dictam ripariam ad eiusdem communitatis gravem destruccionem penitus emersit in defectu hominum predictorum: quam ripariam quilibet tenens ex parte de Haveryng' versus terram suam tenetur reparare.

Per quod preceptum fuit vicecomiti quod venire faceret homines et tenentes predictos ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venerunt homines et tenentes predicti videlicet magister domus de Hornchurch' Iohannes atte Doune Iohannes le Cook Willelmus atte Elmes et Ricardus de Sutton' per Thomam de Thorp' attornatum suum: et quesitum est ab eis si quid pro se habeant vel dicere sciant quare quilibet eorum ripariam predictam ex parte de Haveryng' versus terram suam reparare et mundare non debeat sicut superius presentatum est: predictus magister dicit et alii dicunt quod nec ipsi nec aliquis predecessorum ipsius magistri etc. sive antecessorum dicti Iohannis atte Doune et aliorum tenencium terrarum et tenementorum que ipsi modo tenent in Haveryng' ripariam predictam unquam mundaverunt seu reparaverunt nec de iure mundare seu reparare tenentur et de hoc ponunt se super patriam etc. Et Simon de Kegworth qui sequitur pro domino rege dicit quod predicti homines et tenentes riparie predictae reparare et mundare tenentur

sicut superius super ipsos presentatum est et hoc pro domino rege offert verificare per patriam etc.: et predicti homines et tenentes similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.: et predicti homines et tenentes in misericordia quia venerunt per magnam districtionem etc.

Postea continuato inde processu inter dominum regem et prefatum magistrum et alios usque ad hunc diem scilicet in octabas sancti Michaelis anno regni regis nunc Anglie tricesimo secundo, ad quem diem coram domino rege apud Westmonasterium venerunt tam predictus Simon qui sequitur etc. quam predicti magister et alii homines et tenentes etc. per attornatum suum predictum: et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicti magister et alii ripariam predictam ex parte de Haverynge versus terram suam de iure mundare et reparare tenentur prout superius presentatum est. Ideo iidem homines et tenentes distringantur ad ripariam illam in forma predicta mundandam et reparandam etc.

This stream is the Ingrebourne, and the Hospital of St. John of Jerusalem and the family of Stanton held manors in Rainham on the east side of it. The Beam river is parallel to it, and is the nearer to Havering of the two, but it does not run through Rainham.

XXXVI.

ROAD IN PRITTLEWELL.

The sheriff made no return to a writ of *venire facias* for the appearance before the king on the octave of Trinity, 1353, of the prior of Prittlewell and John de Pritewell, spicer, to shew why they were not bound to repair a common road to the sea called Spotelislane, and was ordered to have them before the king on the octave of Michaelmas.

Coram Rege Roll, Trin., 27 Edward III. rex 24.

Essex'. Preceptum fuit vicecomiti sicut pluries quod venire faceret coram domino rege ad hunc diem scilicet in octabis sancte Trinitatis ubicumque etc. priorem de Pritewell' et Iohannem de Pritewell' spicer ad ostendendum si quid pro se habeant vel dicere sciant quare non tenentur reparare quandam communem viam versus mare vocatam Spotelislane sicut super ipsos presentatum est. Et vicecomes non misit breve. Ideo preceptum est vicecomiti sicut pluries quod venire faciat eos coram domino rege in octabis sancti Michaelis ubicumque etc.

XXXVII.

BRIDGE IN TOPPESFIELD.

Presentment in Hilary term, 1351-2, at Chelmsford, that the men of Toppesfield are bound to repair a bridge there, which is broken.

Precept to the sheriff.

On 25 June 1355 the said men came before the king at Westminster by Robert Clerk, their attorney, by grand distress, and said that they were bound to repair the said bridge, which was broken at the time of the presentment but is now in good repair. They were in mercy because the bridge was then broken and also because they came by grand distress. The sheriff was ordered to distrain for the repair of the said bridge.

Coram Rege Roll, Trin., 29 Edward III. rex 16d.

Essex. Juratores diversorum hundredorum comitatus Essex' alias scilicet termino sancti Hillarii anno regni regis nunc Anglie vicesimo sexto apud Chelmersford' presentaverunt quod homines villate de Topusfeld' tenentur et debent repparare quendam pontem in eadem villa de Toppusfeld' qui dirutus est et confractus ad nocumentum omnium ibidem transeuncium et magnum periculum: ita quod tunc preceptum fuit vicecomiti quod venire faceret predictos homines ad ostendendum etc.

Et modo scilicet in crastino Sancti Iohannis Baptiste isto eodem termino coram domino rege apud Westmonasterium venerunt homines villate predictae per Robertum Clerk' attornatum suum per magnam districtionem etc.: et quesitum ab eo si quid pro se habeat vel dicere sciat quare homines villate predictae pontem predictum repparare et sustentare non debeant: qui dicit quod non possunt dedicere quin pontem illum debent et tenentur repparare set dicit quod tempore presentacionis predictae facte ruinosus fuit et confractus et modo repparatus est sine aliquo defectu etc. Et quia pons predictus tempore presentacionis predictae facte ruinosus fuit et confractus etc. iidem homines in misericordia etc. et similiter in misericordia quia venerunt per magnam districtionem etc. Et preceptum est vicecomiti quod distingat homines villate predictae per omnes terras etc. et quod de exitibus etc. ad pontem predictum repparandum si etc.

XXXVIII.

BRIDGE, POND, AND CAUSEY AT CHIGWELL.

1. Presentment in Hilary term, 1351-2, at Chelmsford that the bridge of Lambourne brook between Chigwell and Lambourne is broken and that the

township of Chigwell, dame Isabel de Spenser and her tenants of Wolfhamston are bound to make the said bridge.

Precept to the sheriff.

In three weeks of Michaelmas, 1356, the men of the township aforesaid came by Thomas de Wharton their attorney and said that the aforesaid Isabel is lady of the manor of Wulhampton in Chigwell and that she and all her predecessors were bound to find timber for making the said bridge and that John atte Boure, tenant of a messuage and 20 acres of land in the said manor, and all his predecessors in that estate were bound to make the bridge with the lord's timber and that the men of the said township are not bound to make the said bridge either wholly or in part, and he put himself upon the country. Simon de Kegworth, suitor for the king, said that the said men together with the said Isabel and the said tenants were so bound, and he sought the verdict of the country. A jury was summoned for the octave of Saint Martin, and the said tenants were in mercy because they came only by grand distress.

After postponements, on the octave of Hilary, 1360-1, the said men came before the king at Westminster by their attorney; and the jurors came and said that the lords of the manor of Wulhampton in Chigwell and the men holding in fee of the same manor in Chigwell were bound to repair the said bridge for horses and carts, and that the said bridge was broken at the time of the presentment and was immediately afterward repaired and is still in repair.

It was considered that the fee holders of the said manor aforesaid were in mercy for not repairing the said bridge at the said time and that the lords and fee-holders of the manor aforesaid were chargeable with the repair of the said bridge for horses and carts and that the other men of Chigwell were discharged from the aforesaid repair and went quit thereof.

2. Presentment in Michaelmas term, 1364, at Colchester that the mill pond of Chigwell is broken and that Nicholas Pluket, citizen of London, is bound to repair it; and that a causey, forty perches in length, from Chigwell to Alexander de Goldyngham's mill is broken, so that the water which flows to the said mill runs over the causey and the mill cannot grind or be of use to the country for lack of water, and persons with their sacks cannot pass thither by the causey, which is in the king's road, and that the said Nicholas is bound to repair the said causey by reason of his lands adjacent to it. By the bag of Essex.

Precept to the sheriff.

The aforesaid Nicholas came before the king at Colchester and said that he had nought in the soil of the pond or causey and did not claim to be freeholder thereof but was only the bailiff of Alice de Perers, who was lady of the fee and free holder, and he sought judgment. Richard de Frisby, suitor for the king, said that the aforesaid Nicholas was bound to repair the said pond and causey, as he is prepared to verify. A jury was summoned for the octaves of St. Martin.

1. Coram Rege Roll, Mich., 30 Edward III. rex 14.

Essex'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Hillarii anno regni regis nunc Anglie vicesimo sexto coram domino rege apud Chelmersford presentaverunt quod pons de Lambourn' Broke inter villam de Chikewell et Lambourn' dirrutus est et confractus et quod villata de Chikewell' domina Isabella de Spenser et tenentes sui in villa de Wolfhamston' tenentur facere pontem predictum.

Per quod preceptum fuit vicecomiti quod venire faceret homines villate predictae predictam Isabellam et tenentes suos predictos ad respondendum etc.

Et modo scilicet a die Sancti Michaelis in tres septimanis isto eodem termino coram domino rege hic venerunt homines villate predictae per Thomam de Wharton' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum facere non debeant etc. : qui dicunt quod predicta Isabella est domina manerii de Wulhampston' infra dictam villam de Chikewell' scituati et quod ipsa Isabella et omnes illi qui manerium illud a toto tempore tenuerunt invenerunt et similiter ipsa Isabella de iure invenire debet maeremium pro ponte predicto cum necesse fuerit faciendo et quod quidam Iohannes atte Boure tenens unius mesuagii et viginti acrarum terre de eodem manerio et omnes illi quorum statum ipse habet in tenementis illis a tempore quo memoria non existit pontem illum de maeremio dominorum manerii predicti inveniundo de iure facere et reparare tenentur absque hoc quod ipsi homines eiusdem villate pontem illum in parte vel in toto facere tenentur et de hoc ponit se super patriam etc.

Et Simon de Kegworth', qui sequitur pro domino rege, dicit quod predicti homines simul cum predicta domina et tenentibus predictis pontem predictum de iure facere tenentur sicut super ipsos presentatum est et hoc pro domino rege offert verificare per patriam etc. et homines similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Martini ubicumque etc. et qui etc. ad recognoscendum etc. Et predicti homines villate predictae in misericordia quia venerunt per magnam districtionem etc.

Postea continuato inde processu versus prefatam villatam per iuratas positas in respectum usque ad hunc diem scilicet in octabis Sancti Hillarii anno regni regis nunc tricesimo quinto, ad quem diem coram domino rege apud Westmonasterium venerunt homines villate predictae per attornatum suum predictum et similiter iuratores venerunt : qui ad hoc electi et iurati dicunt super sacramentum suum quod domini

manerii de Wulhampston infra dictam villam de Chikewell' scituati qui pro tempore fuerunt et omnes homines qui tenementa tenent et tenuerunt de dominis dicti manerii ut de feodo eiusdem manerii in Chekewell' qui pro tempore fuerunt a tempore quo non extat memoria solummodo fecerunt et reparaverunt pontem predictum pro equis et carectis et de iure facere et reparare tenentur cum necesse fuerit et nulli alii; et dicunt quod tempore presentationis predictae facte predictus pons dirrutus fuit et contractus et statim post presentationem predictam factam predictus pons factus fuit et reparatus sufficienter pro equis et carectis et adhuc est. Ideo consideratum est quod tenentes qui tenementa tenuerunt de dominis dicti manerii ut de feodo eiusdem manerii in Chikewell' sunt in misericordia pro non reparacione pontis predicti de tempore predicto et quod domini manerii predicti et tenentes qui tenementa tenent de dominis dicti manerii ut de feodo eiusdem manerii in Chikewell' de cetero ad pontem predictum reparandum et sustentandum onerentur et distringantur cum necesse fuerit pro equis et carectis et quod ceteri homines ville de Chekewell' qui nichil tenent de dominis dicti manerii ut de feodo eiusdem manerii in Chekewell' de reparacione et sustentacione pontis predicti omnino exonerentur et in nullo inde occasionentur set eant inde quieti etc. salvo semper iure domini regis etc.

2. Coram Rege Roll, Mich., 38 Edward III. rex 19.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod stagnum molendini de Chikewell' est fractum et dirrutum ad nocumentum hominum ibidem transeuncium et quod Nicholaus Pluket civis London' tenetur stagnum predictum reparare et sustentare¹ . . . Item presentaverunt quod quoddam calcetum in longitudine quadraginta perticarum que se ducit a villa de Chikewell' usque molendinum Alexandri de Goldyngham eiusdem ville dirrutus et contractus (*sic*) ita quod aqua riparie ad idem molendinum fluens ultra calcetum predictum per diversas fracturas fluit, per quod molendinum predictum molere non potest nec patrie servire sicut deberet ob defectum aque nec aliquis cum saccis suis ad molendinum predictum per calcetum predictum quod est in regia via ad molendinum predictum venire potest, et quod predictus Nicholaus Pluket calcetum predictum racione terrarum suarum eidem calceto adiacencium de iure facere et reparare

¹ Here follow presentments etc. against the said Nicholas for imparking cattle at Chigwell, for assault, for theft, and for taking animals on the common pasture.

tenetur et omnes tenentes terrarum que (*sic*) ipse tenet in eadem villa calcetum illud a toto tempore fecerunt et reparaverunt. Per baggam de Essex'.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Nicholaum Pluket ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Colcestre venit predictus Nicholaus et super premissis allocutus est qualiter se velit inde acquietare: qui quidem Nicholaus quo ad hoc quod presentatum est quod ipse tenetur reparare et sustentare stagnum molendini in Chikewell' et similiter quo ad hoc quod presentatum est quod ipse facere et reparare tenetur calcetum que (*sic*) ducit a villa de Chikewell' usque molendinum Alexandri de Goldyngham racione terrarum suarum eidem calceto adiacencium etc. dicit quod ipse nichil habet neque in solo stagni seu molendini predicti nec in solo calceti predicti nec aliquid habere clamat in libero tenemento eorundem nisi tantum ut serviens et ballivus cuiusdam Alicie de Perers que est domina feodi et liberi tenementi eorundem et petit iudicium si dominus rex ipsum occasione presentacionum predictarum occasionare velit aut debeat etc.¹ . . . Et Ricardus de Frisby qui sequitur pro domino rege etc. dicit quod predictus Nicholaus Pluket tenetur reparare et sustentare stagnum molendini in Chikewell' et quod similiter tenetur facere et reparare calcetum in longitudine quadraginta perticarum que se ducit a villa de Chikewell' usque molendinum Alexandri de Goldyngham eiusdem ville racione terrarum suarum eidem calceto adiacencium etc. et omnes terrarum tenentes que ipse tenet in eadem villa calcetum illud a toto tempore fecerunt et reparaverunt¹ . . . et hoc pro domino rege paratus est verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancti Martini ubicumque etc. et qui etc. ad recognoscendum etc.

The manor of Wulhampston is Wolston, and Alexander de Goldyngham was lord of the manor of Chigwell Hall.²

The mention of Alice de Perers at a date antecedent to her known connection with the court of Edward III. is important in the light of the doubt as to her origin.³

The words *Per baggam de Essex'* probably refer to an arrangement of the files of indictments, the greater number of which were put into county bags, while those which were thought to require such treatment were removed to the *Baga de Secretis*, which is at the present time a distinct class of records from the Ancient Indictments.

¹ Here follow presentments etc. against the said Nicholas for imparking cattle at Chigwell, for assault, for theft, and for taking animals on the common pasture.

² Morant, i. 165, 167.

³ See article in Dictionary of National Biography, *sub voce*.

XXXIX.

BRIDGES NEAR HATFIELD BROADOAK.

1. Presentment in Michaelmas term, 1364, at Colchester that the bridge called Dounebrigge of Hatfield Broadoak is broken and that the prior of Hatfield is bound to repair it by reason of his lands and tenements there.

Precept to the sheriff.

The aforesaid prior came before the king at Colchester by his attorney and said that neither he nor his predecessors were ever bound to repair the said bridge, and put himself upon the country. Richard de Frisby said that he was so bound, as he was ready to verify. A jury was summoned for the octave of St. Martin.

After postponements the said prior came before the king at Westminster on the quinzaine of Trinity, 1370; and the jurors came and said that the prior and his predecessors were bound to repair the said bridge by reason of certain lands and tenements late of Wysot atte Forde and that the bridge is still broken. It was considered that the prior should be distrained to repair the said bridge; and he was amerced 20s.

2. Presentment in Michaelmas term, 1364, at Colchester that the bridge called Bradebrigge between Hatfield and Aythorpe Roothing is broken and that William Burser is bound to repair it by reason of lands and tenements in Roothing aforesaid.

Precept to the sheriff.

On the octave of Michaelmas, 1365, the said William came before the king at Westminster by his attorney and said that neither he nor his predecessors nor any holders of the said lands and tenements were bound to repair the said bridge; and he put himself upon the country. Richard de Frisby, suitor for the king, said that they were so bound and put himself upon the country. A jury was summoned for the octave of Hilary.

After postponements on the octave of Trinity, 1370, the said William came before the king at Westminster by his attorney; and the jurors came and said that he was lord of Aythorpe Roothing and that he and all the lords of the said town were bound to repair the said bridge, which was now repaired but was broken at the time of the presentment. It was considered that the said William should be distrained to repair the bridge when necessary, and he was amerced 20s. for his past default.

1. Coram Rege Roll, Mich., 38 Edward III. rex 19d.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod pons qui vocatur Dounebrigge de Hatfeld' Brodok est confractus et dirutus ad nocumentum hominum ibidem transeuncium et quod prior de Hatfeld' Regis predictum pontem tenetur reparare et sustentare pro certis terris et tenementis in Hatfeld'.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo scilicet isto eodem termino coram domino rege apud Colcestre venit predictus prior per ¹ attornatum suum et quesitum est ab eo si quid dicere sciat quare ad pontem predictum reparandum et sustentandum non tenetur sicut super ipsum presentatum est; qui quidem prior dicit quod nec ipse nec predecessores sui priores loci predicti pontem predictum unquam reparaverunt nec sustentaverunt nec idem prior pontem predictum reparare nec sustentare tenetur et de hoc ponit se super patriam. Et Ricardus de Frisby qui pro domino rege sequitur etc. dicit quod predictus prior pontem vocatum Dounebrigg' de Hatfeld' Brodok qui dirutus est et confractus reparare et sustentare tenetur prout per presentacionem predictam supponitur et hoc pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancti Martini ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu coram domino rege versus prefatum priorem de die in diem et de termino in terminum usque ad hunc diem scilicet a die Pasche in xv dies anno regni regis nunc Anglie quadragesimo quarto, ad quem diem predictus prior sollempniter vocatus non venit: ideo capiatur iurata versus eum per eius defaltam etc. set remanet capienda pro defectu iuratorum usque a die sancte Trinitatis in xv dies tunc proximo sequentis ubicumque etc. pro defectu iuratorum quia nullus etc. Ad quem diem coram domino rege apud Westmonasterium venerunt iuratores predicti qui ad hoc electi et iurati dicunt super sacramentum suum quod predictus prior tenetur de iure pontem predictum reparare et sustentare pro quibusdam terris fuerunt Wysot atte Forde et quod omnes predecessores ipsius prioris tenentes terrarum et tenementorum predictorum et omnes alii tenentes eorundem terrarum et tenementorum a toto tempore pontem predictum de iure reparare et sustentare tenebantur et quod predictus pons adhuc dirutus est et confractus. Ideo consideratum est quod predictus prior distringatur ad pontem predictum reparandum et sustentandum cum necesse fuerit etc.: et idem prior in misericordia pro non reparacione etc. et afforiatu per iusticiarios ad xx solidos.

2. Coram Rege Roll, Mich., 38 Edward III. rex 24.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod quidam pons vocatus Bradebriggs inter Hatfeld' et Rothing'

¹ Space left blank in the roll for the attorney's name.

dirrutus est et confractus ad maximum dampnum hominum patrie et aliorum ibidem transeuncium ob defectum Willelmi Burser chivaler qui pontem illum de iure facere et reparare tenetur et omnes tenentes terrarum et tenementorum que ipse tenet in Aythrop' Rothing a tempore quo non extat memoria facere et reparare de iure consueverunt.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Postea scilicet in octabis sancti Michaelis anno regni regis nunc Anglie tricesimo nono coram domino rege apud Westmonasterium venit predictus Willelmus per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum facere et reparare non debeat : qui dicit quod ipse pontem predictum facere seu reparare non tenetur nec ipse nec aliquis predecessorum suorum unquam pontem predictum reparaverunt seu reparare tenentur de iure nec aliquis tenencium terrarum et tenementorum predictorum a tempore quo non extat memoria de iure facere et reparare consueverunt et inde ponit se super patriam etc. Et Ricardus de Frisby qui sequitur etc. dicit quod predictus Willelmus pontem predictum facere et reparare tenetur et omnes tenentes terrarum et tenementorum que ipse tenet in Aythrop' Rothyng' a tempore quo non extat memoria facere et reparare de iure consueverunt et inde ponit se super patriam etc. et predictus Willelmus similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Hillarii ubicumque etc. ad recognoscendum etc.

Et continuato inde processu coram domino rege versus prefatum Willelmum per iuratas positas in respectum coram domino rege usque in octabas sancte Trinitatis anno regni regis nunc Anglie quadragesimo quarto, ad quem diem coram domino rege apud Westmonasterium venit predictus Willelmus per attornatum suum et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod Willelmus Bourser est dominus ville de Aithrop' Rothyng' et quod predictus Willelmus de iure pontem illum facere et reparare tenetur et quod omnes domini ville predictae a tempore quo non extat memoria pontem illum de iure facere et reparare consueverunt : et dicunt quod dictus pons modo per prefatum Willelmum sufficienter reparatur set tempore presentacionis predictae dirrutus fuit et confractus prout presentatum fuit. Ideo consideratum est quod predictus Willelmus distingatur ad pontem predictum cum necesse fuerit reparandum etc. et predictus Willelmus sit in misericordia pro non reparacione eiusdem pontis et afforatur per iusticiarios ad xx solidos.

Broad Bridge is in Aythorpe Roding on the Hatfield boundary of the parish.

XL.

BRIDGE NEAR AVELEY.

Presentment in Michaelmas term, 1364, at Colchester that a bridge called Caucebrigge between Aveley and West Thurrock is broken and ought to be repaired by William de Wauton knight and Roger Beauchamp knight. Precept to the sheriff.

On the octave of Hilary, 1364-5, the said William came before the king at Westminster by Thomas de Shardelowe, his attorney; and the said Roger came in person and said that he held two-thirds of the manor of Aveley with the appurtenances during the minority of the heir of Thomas de Bradeston deceased, rendering yearly £28 17s. 4½d. for that manor and for certain lands in Surrey by letters patent of the king dated 10 May 1362, which he produced in court, and which were to this effect: Whereas the king granted by his letters patent to the said Roger two thirds of the manor of Aveley extended at £17 2s. 2½d. and two thirds of the moiety of the manor of Shalford, co. Surrey, extended at £11 17s. 4½d., in his hands by reason of the minority of the said Thomas' heir, rendering to the exchequer £29 7s. 0¾d. and whereas the said Roger, by reason of a charge of £20 upon the said part of the manor of Shalford payable annually to Roger de Bradestane, surrendered the said letters patent to be cancelled in chancery, the king discharged the said Roger Beauchamp from the custody of the aforesaid part of the manor of Shalford, granting him to hold two thirds of the manor of Aveley during the said minority at a yearly rent of £17 2s. 2½d. and pardoned him the yearly rent payable for the said part of the manor of Shalford since the date contained in his former letters patent. These letters were inspected, and it was considered that no further action should be taken against the aforesaid Roger by reason of the said presentment. William de Wauton said that neither he nor his ancestors nor previous holders of his lands and tenements in West Thurrock were bound to repair the said bridge; and he put himself upon the country. Richard de Frisby, suitor for the king, said he was so bound and sought the verdict of the country. A jury was summoned for the quinzaine of Easter.

After postponements on the octave of St. John the Baptist, 1365, the said William came before the king at Westminster by his said attorney; and the jurors came who said that neither the said William nor his ancestors nor previous holders of his estate in the manor of West Thurrock were bound to repair the said bridge, but that in the reign of Edward II. a certain William Breawesson was lord of the manors both of Aveley and of West Thurrock on either side of the said bridge and he himself built a bridge for the easement of himself and his household going from one manor to the other, and that there had never been a bridge there before nor a crossing save at the will of the lord. The jurors were asked whether there is any king's way or common way or footpath there, and said that there was not except at the will of the lord. Therefore it was considered that the said William should go without a day thereof.

Coram Rege Roll, Mich., 38 Edward III. rex 19d.

Essex'. Iuratores diversorum hundredorum comitatus predicti isto termino coram domino rege apud Colcestre presentaverunt quod quidam pons qui vocatur Caucebrigg' inter villatam de Alvythele et Westthurrok' dirutus est et confractus ad magnum nocumentum et periculum hominum transeuncium per patriam : quem quidem pontem Willelmus de Wauton' chivaler et Rogerus Beauchamp chivaler tenentur reparare et sustentare.

Per quo[d] preceptum fuit vicecomiti quod venire faceret eos etc.

Postea scilicet in octabis sancti Hillarii anno regni regis nunc tricesimo nono coram domino rege apud Westmonasterium venit predictus Willelmus de Wauton' per Thomam de Shardelowe attornatum suum et predictus Rogerus Beauchamp in propria persona sua et quesitum est ab eis separatim si quid pro se habeant vel dicere sciant quare pontem predictum reparare et sustentare non debeant sicut super ipsos presentatum est : predictus Rogerus Beauchamp dicit quod ipse tenet duas partes manerii de Alvythele tantum cum pertinenciis quasquidem duas partes ipse tenet per litteras domini regis patentes ex concessione regis usque ad legitimam etatem heredis Thome de Bradeston' defuncti, qui de ipso rege tenuit in capite reddendo inde et pro aliis tenementis in comitatu Surr' dicto domino regi xxvij libras xvij solidos iij denarios et j obolum et j quadrantem et sic ipse tenet tenementa illa in iure domini regis et non intendit quod dominus rex ipsum occasione predicta impetire (*sic*) velit aut debeat et profert hic in curiam litteras domini regis patentes premissa testificantes in hec verba : Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie omnibus ballivis suis et fidelibus ad quos presentes littere pervenerint salutem. Sciatis quod cum nuper concesserimus dilecto et fidei nostro Rogero de Bello Campo custodiam duarum parcium manerii de Alvydeleye cum pertinenciis in comitatu Essex' que ad decem et septem libras duos solidos duos denarios et unum obolum et medietatis manerii de Chaldeford' cum pertinenciis in comitatu Surr' que ad undecim libras decem et septem solidos quatuor denarios et unum obolum per annum extenduntur et que due partes fuerunt Thome de Bradestan' defuncti qui de nobis tenuit in capite et que occasione mortis eiusdem Thome et ratione minoris etatis heredis ipsius Thome in manu nostra existunt habendum cum omnibus exitibus de eisdem duabus partibus a festo sancti Michaelis anno regni nostri tricesimo quarto perceptis ac omnibus aliis ad custodiam illam spectantibus usque ad legitimam etatem heredis predicti reddendo inde nobis per

annum ad scaccarium nostrum viginti et novem libras septem solidos unum obolum et unum quadrantem ultra onera et servicia realia de eisdem duabus partibus debita et consueta, prout in literis nostris patentibus inde confectis plenius continetur, ac prefatus Rogerus pro eo quod dicta medietas manerii de Chaldeford' dilecto et fideli nostro Rogero de Bradestane in viginti libris annis per concessionem predicti Thome dum vixit de licencia nostra oneratur dictas duas partes eiusdem medietatis manerii de Chaldeford' reddidit in manus nostras asserens se de eisdem duabus partibus medietatis manerii de Chaldeford' ulterius intromittere nolle nec posse, nos ea de causa et pro eo quod dictus Rogerus de Bello Campo dictas literas nostras nobis in cancellaria nostra restituit cancellandas reddicionem predictam acceptantes ipsum Rogerum de Bello Campo de custodia duarum parcium medietatis manerii de Chaldeford' exinde duximus exonerandum, volentes et concedentes pro nobis et heredibus nostris quod predictus Rogerus de Bello Campo habeat et teneat custodiam dictarum duarum parcium manerii de Alvydeleye cum pertinenciis usque ad legitimam etatem heredis predicti reddendo inde nobis ad scaccarium predictum per annum tam pro tempore predicto quam futuro decem et septem libras duos solidos duos denarios et unum obolum iuxta extentam inde factam et formam concessionis nostre predictae sibi prius inde facte ultra onera et servicia realia inde debita et consueta: et quod idem Ricardus de Bello Campo a dicto festo sancti Michaelis usque diem confeccionis presencium de dictis undecim libris decem et septem solidis quatuor denarios et uno obolo de extenta dictarum duarum parcium medietatis dicti manerii de Chaldeford' et rata eiusdem per annum nobis respondeat ad scaccarium perdonavimus et quod de eadem extenta extunc erga nos quietus sit et exoneratus. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium x die Maii anno regni nostri tricesimo sexto. Et inspectis literis predictis consideratum est quod nichil ulterius fiat versus prefatum Rogerum occasione presentacionis predictae.

Et predictus Willelmus de Wauton' dicit quod ipse pontem predictum seu aliquam partem eiusdem reparare seu sustentare de iure non tenetur nec antecessores sui seu aliqui tenentes terrarum et tenementorum que ipse modo [tenet] in predicta villa de Westthurrok' pontem illum seu aliquam partem eiusdem unquam de iure reparare [seu] sustentare consueverunt: et de hoc ponit se super patriam. Et Ricardus de Frisby qui sequitur pro domino rege dicit quod predictus Willelmus de Wauton' pontem illum reparare et sustentare tenetur sicut superius super ipsum presentatur et hoc pro domino rege offert verificare per

patriam etc: et predictus Willelmus similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu coram domino rege versus prefatum Willelmum de Wauton' per iuratas positas in respectum usque in octabas sancti Iohannis Baptiste anno regni regis nunc Anglie tricesimo nono, ad quem diem coram domino rege apud Westmonasterium venit predictus Willelmus de Wauton' per attornatum suum predictum: et similiter iuratores venerunt qui electi et iurati dicunt super sacramentum suum quod predictus Willelmus de Wauton' nec aliquis antecessorum suorum et predecessorum quorum statum ipse modo habet in manerio de Westthurok' pontem predictum nec aliquam partem eiusdem unquam [reparaverunt aut] fecerunt nec facere aut reparare de iure tenebantur set dicunt quod quidam Willelmus Breawesson' tempore domini Edwardi patris domini regis nunc fuit dominus manerii de Alvythele ex una parte pontis predicti et manerii de Wauton' ex altera parte eiusdem pontis et quod ipse fecit ibidem quendam pontem pro aisamento suo et familie sue in maneriis predictis commorancium eundo et redeundo de uno manerio ad aliud et non de iure a toto tempore; dicunt etiam quod nunquam ante hec tempora fuit pons ibidem nec transitus nisi ad voluntatem domini maneriorum predictorum. Quesitum est a prefatis [iuratoribus] si est ibidem aliqua via regia vel communis aut aliqua semita, qui dicunt quod non est [ibidem] aliqua via regia nec communis seu aliqua semita nisi ad voluntatem domini maneriorum predictorum. Ideo consideratum est quod predictus Willelmus de Wauton' eat inde sine die salvo semper iure domini regis si quod etc.

Causeway Bridge over Mar Dyke on the boundary of the parishes of West Thurrock and Aveley is still in existence.¹

The grant to Beauchamp does not appear to be enrolled on the Patent Rolls and is not noted by Morant or in Manning and Bray's *History of Surrey*. The apparent discrepancy in the sums of money is not unusual in mediaeval documents.

The previous holders of the two manors of Aveley and West Thurrock were the family of Brianzon, and the scribe has evidently mistaken the *n* for a *u*, so that the word is corrupted to Breawesson in the text.

¹ *Six-inch Ordnance Survey.*

XLI.

SEWER AT DUNTON.

Presentment in Michaelmas term, 1364, at Colchester, that the master of St. Bartholomew, London, is bound to cleanse two perches in the drain called Twetslo at Dundon, which are not cleansed by his default.

Precept to the sheriff.

In Michaelmas term, 1365, the said master came by his attorney before the king at Westminster and said that he was bound to cleanse the said two perches and that they are now cleansed and repaired. He was in mercy because he came by grand distress and the sheriff was ordered to distrain.

Coram Rege Roll, Mich., 38 Edward III. rex 21d.

Essex. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod magister sancti Bartholomei London' tenetur mundare in fossato vocato Twetslo apud Dundon' duas perticatas et non sunt munate ob defectum ipsius magistri ad dampnum totius patrie.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc. Et modo scilicet termino Michaelis anno regni regis nunc tricesimo nono coram domino rege apud Westmonasterium venit predictus magister per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare fossatum predictum mundare non debeat : qui quidem magister non dedit quin ipse predictas duas perticatas fossati mundare tenetur et ipse et omnes predecessores sui a tempore quo non extat memoria predictas duas perticatas mundaverunt de iure set dicit quod modo bene mundantur et reparantur sufficienter. Ideo ipse in misericordia quia venit per magnam districtionem etc. Et preceptum est vicecomiti quod distringat predictum magistrum ad dictas duas perticatas reparandas et mundandas quando necesse fuerit etc.

This sewer is not named on the Six-Inch Ordnance Survey but its locality must be near the manor of Friern in Dunton which belonged to St. Bartholomew's hospital.¹

XLII.

BURES BRIDGE.

Presentment in Michaelmas term, 1364, at Colchester that the bridge called Buresbrugge crossing the river bank of Seyntemar Bures is broken and that the prior of Stoke by Clare is bound to repair it.

¹ Morant, i. 221.

Precept to the sheriff.

After postponements, on the octave of Michaelmas, 1365, the said prior and convent came before the king at Westminster by John de Sancto Neoto, their attorney, and the prior said that neither he nor any of his predecessors ever repaired the said bridge save only of their alms and at their will and were never bound in law to repair it ~~and~~ put himself upon the country. Richard de Frisby, suitor for the king, said that they were so bound and offered to verify it, and a jury was summoned for the octave of St. Martin.

After postponements, on the quinzaine of Easter, 1366, the prior came before the king at Westminster by his said attorney; and the jurors came and said that neither the prior nor his predecessors were ever bound to repair the said bridge and did so only of their alms and at their will. It was therefore considered that the said prior and convent should go without a day.

Coram Rege Roll, Mich., 36 Edward III. rex 33d.

Essex. Iuratores comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod pons vocatus Buresbrigge ultra ripam de Seyntemar Bures dirutus est et confractus ita quod homines patrie per pontem predictum secure transire non possunt ad grave dampnum et nocumentum tocius patrie quem quidem pontem prior de Stoke iuxta Clare de iure facere et reparare tenetur et omnes predecessores ipsius prioris priores loci predicti de iure toto tempore fecerunt et reparaverunt ¹ . . .

Per quod preceptum fuit vicecomiti quod venire faceret predictum priorem ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Colcestre venit predictus prior per Iohannem de Sancto Neoto attornatum suum et super hoc predictus prior petit licenciam inde loquendi usque in crastinum Purificacionis beate Marie Virginis ubicumque etc.: et habet etc.

Postea scilicet in octabis sancti Michaelis anno regni regis Edwardi tercii a conquestu tricesimo nono coram domino rege apud Westmonasterium venit predictus prior et conventus per Iohannem de Sancto Neoto attornatum suum et super premissis allocuti sunt qualiter se velint inde acquietare: qui quidem prior quo ad pontem predictum dicit quod nec ipse nec predecessores sui priores loci predicti pontem predictum de iure facere nec reparare tenentur nec aliquo tempore pontem illum fecerunt nec reparaverunt nisi tantummodo de elemosina et pro voluntate sua et non de iure a toto tempore prout per presen-

¹ Here follow proceedings against the prior on a presentment that he acquired land in Gestingthorp *contra statutum de religiosis*.

tacionem predictam supponitur et de hoc ponit se super patriam . . .¹ Et Ricardus de Frisby qui sequitur etc. dicit quod predictus prior predictum pontem vocatum Bures Brigge de iure facere et reparare tenetur . . .¹ et hoc pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancti Martini ubicumque etc. et qui etc. ad recognoscendum etc.

Et sic continuato inde processu coram domino rege per diversas iuratas positas in respectum usque a die Pasche in xv dies anno regni regis nunc quadragesimo, ad quem diem coram domino rege apud Westmonasterium venit predictus prior per Iohannem de Sancto Neoto attornatum suum predictum et iuratores similiter venerunt: qui dicunt super sacramentum suum quod predictus prior de Stokes nec predecessores sui priores loci predicti pontem predictum de iure facere nec reparare tenentur nec aliquo tempore pontem illum fecerunt nec reparaverunt nisi tantummodo de elemosina et pro voluntate sua et non de iure . . .¹ Ideo consideratum est quod predictus prior et conventus eant inde sine die salvo semper iure regis si quod etc.

XLIII.

BRIDGE IN GREAT OAKLEY.

Presentment in Michaelmas term, 1364, at Colchester that Saltford Bridge is broken and John Plays knight and his tenants, namely Geoffrey de Derham, Philippa Danesshewell, Walter Hobregge, Thomas Josep and others, in Great Oakley are bound to repair the said bridge.

Precept to the sheriff.

In the same term John and the others came before the king at Colchester and said that on the morrow of St. Michael, 1285, before Solomon de Roffa and his fellows, justices in eyre in Essex, it was presented that the aforesaid bridge for horses and carts was broken and that Isabel late the wife of Ralph Plays, tenant in dower of the manor of Great Oakley, ought to find timber for the repair of the bridge and that the town of Great Oakley ought to repair it, and the sheriff was ordered to distrain and Isabella and the said town were in mercy: the said John therefore admits that he ought to provide the timber to repair the bridge and Geoffrey and the others admit that they with the said John ought to repair it. They are therefore in mercy and the sheriff is ordered to distrain to ensure that the said John shall provide the timber and that Geoffrey and the other tenants of the said John in Great Oakley repair the aforesaid bridge.

¹ Here follow proceedings against the prior on a presentment that he acquired land in Gestingthorp *contra statutum de religiosis*.

Coram Rege Roll, Mich., 38 Edward III. rex 46.

Essex. Iuratores comitatus predicti isto eodem termino coram domino rege apud Colcestre presentaverunt quod pons vocatus Saltfordbrigg' dirrutus est et contractus ad nocumentum tocius patrie: quem quidem pontem Iohannes Plays chivaler et tenentes sui scilicet Galfridus de Derham Philippa Danesshewell' Walterus Hobregge et Thomas Iosep et alii tenentes sui in Magna Okle pontem illum de iure facere et reparare tenentur et omnes domini et tenentes eiusdem ville pontem illum a toto tempore de iure fecerunt et reparaverunt.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Iohannem Plays et alios ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Colcestre venit predictus Iohannes Plays et alii et quesitum est ab eis si quid pro se habeant vel dicere sciant quare ad pontem predictum reparandum et sustentandum distringi non debeant etc.: qui quidem Iohannes Plays tam pro se ipso quam predictus Galfridus et alii pro se et aliis tenentibus eiusdem ville dicunt quod alias scilicet in crastino sancti Michaelis anno regni regis Edwardi filii Henrici terciodecimo coram Salomone de Roffon' (*sic*) et sociis suis iusticiariis itinerantibus in comitatu Essex' extitit presentatum quod pons de Saltford' in villa de Okle Magna ultra quem equi et carecte transire debent dirrutus est et quod Isabella que fuit uxor Radulfi Plays, que tenet manerium de Okle Magna in dotem de hereditate heredum predicti Radulfi, invenire debet maheremium ad predictum pontem reparandum necessarium et quod villa de Magna Okle pontem predictum reparare debet etc. Per quod tunc preceptum fuit vicecomiti quod distringeret predictam Isabellam ad inveniendum maheremium ad dictum pontem de Saltford' necessarium et similiter quod distringeret predictam villam ad dictum pontem reparandum etc.; et eadem villa et similiter Isabella pro non reparacione predicta in misericordia. Et sic dicit idem Iohannes Plays quod ipse non potest dedicere quin ipse maheremium ad pontem predictum reparandum cum necesse fuerit etc. invenire tenetur etc. et predicti Galfridus Philippus Walterus Hobregge' et Thomas Iosep' tam pro se quam pro aliis tenentibus eiusdem ville dicunt quod ipsi non possunt dedicere quin ipsi pontem predictum simul cum predicto Iohanne Plays in forma predicta reparare et sustentare tenentur etc. Ideo tam predicti Iohannes Plays Galfridus de Derham Philippa Danesshewell' Walterus Hobregge et Thomas Iosep' et alii tenentes villate predictae pro non reparacione predicta in misericordia et ipsi

distringantur ad pontem predictum reparandum et sustentandum in forma predicta etc. Et preceptum est vicecomiti quod distringat predictum Iohannem Plays per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod idem Iohannes Plays inveniat maheremium ad dictum pontem reparandum necessarium etc.: et similiter quod distringat predictos Galfridum Philippam Walterum et Thomam et alios tenentes ipsius Iohannis eiusdem ville de Magna Okle per omnes terras etc. et quod de exitibus etc. et (*sic*) quod securus sit quod predicti Galfridus Philippa Walterus et Thomas ac alii tenentes eiusdem ville pontem predictum competenter reparent et sustentent ut predictum est.

Saltwater Bridge is marked in the Six-Inch Ordnance Survey in the N.W. corner of the extensive parish of Great Oakley; and the names of two of the tenants of John Plays survive in Dengewell Hall and Howbridge Hall.¹

XLIV.

BRIDGE NEAR HIGH ONGAR.

Presentment in Michaelmas term, 1351, before the then king at Chelmsford that Langford bridge is broken and that John Pekkebrigge lord of Kelvedon Hatch and his tenants of High Ongar ought to repair it.

Precept to the sheriff.

On the octave of St. John the Baptist, 1388, the said John and his tenants came before the king at Westminster by John de Harlyngton their attorney and acknowledged their liability and were amerced 3s. 4d. because the said bridge was not in repair at the time of the aforesaid presentment; the sheriff was ordered to distrain and to return on the octave of Michaelmas.

Coram Rege Roll, Trin., 12 Richard II. rex 18.

Essex. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis domini Edwardi nuper regis Anglie avi domini regis nunc vicesimo quinto coram ipso avo apud Chelmersford presentaverunt quod quidam pons qui vocatur Langefordbregge dirutus est et contractus ad nocumentum omnium ibidem transeuncium quem quidem pontem Iohannes Pekkebregge dominus de Kelwedon et tenentes sui ville de Alta Aungr reparare tenentur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eos ad respondendum etc.

Et modo scilicet in octabis sancti Iohannis Baptiste isto eodem

¹ Morant, i. 487-490.

termino coram domino rege apud Westmonasterium venit predictus Iohannes et tenentes sui predicti per Iohannem de Harlyngton' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare non debeant: qui dicunt quod ipsi non possunt dedicere quin ipsi pontem predictum reparare tenentur sicut super ipsos presentatum est. Et quia tempore presentacionis capte pons predictus dirutus et confractus fuit ideo ipsi in misericordia et afforiat per iusticiarios ad xl denarios. Et preceptum est vicecomiti quod non omittat etc. quin distringat eos per omnes terras etc. et quod de exitibus etc. ita quod securus sis (sic) quod pons predictus per predictum Iohannem Pekkebrigg' et tenentes suos predictos ad plenum reparetur tociens quociens necesse fuerit etc. et qualiter fuit executum domino regi in octabis sancti Michaelis ubicumque etc. distinet et aperte certificaret etc.

Langford Bridge is on the borders of the parishes of High Ongar and Kelvedon Hatch. Morant has unusually little to say about the early lords of Kelvedon Hatch; from the situation of the bridge it appears probable that, if there were more than one manor in Kelvedon Hatch at this time, Pekkebrigge was lord of the manor subsequently known as Myles.

XLV.

SAMPFORD BRIDGES.

Presentments [7-13 Ric. II.] by jurors of Freshwell hundred that Great Sampford bridge is ruinous and that William de Coggisale, knight, ought to repair it and that Little Sampford bridge is broken and that William Bateman ought to repair it.

Ancient Indictments File 25 m. 4 and 4d.

Froschyswell.

Iuratores hundredi predicti presentant . . . quod pons que vocatur Magna Sanford Brigge dirutus est et ruinosis ita quod nullus super pontem predictum equitare potest ad grave nocumentum tocius patrie et quod Willelmus de Coggisale chivaler tenetur reparare et emendare de iure.

Item presentant quod pons que vocatur Parva Sanford Brygge dirutus est et confractus ita quod nullus super pontem predictum equitare potest ad grave nocumentum tocius patrie et dicunt quod Willelmus Bateman tenetur reparare et emendare de iure.

XLVI.

BRIDGE AT STANSTED MOUNTFICHET.

Presentment by jurors of Uttlesford hundred [7-13 Ric. II.] that the bridge at Stansted mill in Stansted is broken and that Maud de Veer countess of Oxford and all whose estate she now holds ought and have been wont to repair the said bridge by reason of their lands and tenements in Stansted aforesaid.

Ancient Indictments File 25 m. 11.

Hundredum de Uttlesford.

Iuratores hundredi predicti presentant . . . quod pons apud Stanstedemulle in Stanstede dirutus est et confractus ad nocumentum omnium hominum ibidem transeuncium et quod Matillis de Veer comitissa Doxenford' et omnes illi quorum statum ipsa habet a tempore quo non extat memoria pontem illum de iure reparaverunt pro certis terris et tenementis que habuerunt in eadem villa de quibus terris et tenementis predicta comitissa modo seisita est et pontem illum tenetur reparare et emendare et non emendatur ad nocumentum tocius patrie.

XLVII.

UTTLESFORD BRIDGE.

Presentment by jurors of Uttlesford hundred [7-13 Ric. II.] that Uttlesford bridge is ruinous and dangerous in winter and that John Elys of Wenden ought to repair it by reason of certain lands and tenements of his in Wenden.

Ancient Indictments File 25 m. 11.

Hundredum de Uttlesford.

Iuratores hundredi predicti presentant . . . quod pons qui vocatur Uttlesfordebrigg' dirutus est et ruinosus ita quod nemo potest ultra pontem illum tempore [hi]emali transire absque maximo periculo mortis et quod Iohannes Elys de Wenden' pontem illum tenetur reparare et emendare pro certis terris et tenementis [que] idem Iohannes habet in Wenden' predicta et non emendatur nec reparatur ad nocumentum tocius patrie.

Uttlesford Bridge is a bridge marked in the Six-Inch Ordnance Survey in Wendens Ambo over a small tributary of the Cam and close to its confluence with that river. This agrees approximately with Morant's statement,¹ who however does not definitely identify the position of Uttlesford.

¹ i. 544.

XLVIII.

BRIDGE AT CLAVERING.

Presentment by the jurors of Clavering hundred [10-13 Ric. II.] that Portbrigg' is broken and that Elizabeth late the wife of John lord de Nevylle tenant of the manor of Clavering in dower ought to repair the said bridge.

Ancient Indictments File 25 m. 25.

Hundredum de Claveryng'.

Iuratores hundredi predicti presentant . . . quod pons qui vocatur Portbrigg' dirutus est et confractus et quod Elizabetha que fuit uxor Iohannis de Nevyll' domini de Nevyll' tenens manerii de Claveryng' in dotem ex dotacione predicti Iohannis quondam viri sui et omnes tenentes manerii predicti pontem illum fecerunt [et] a tempore quo non extat memoria pontem predictum de iure facere consueverunt, et non reparatur ad nocumentum tocius patrie.

Portbrigge is probably Poor Bridge near Clavering Hall, in the S.E. corner of the parish. The document can be dated more closely than others on this file, as John de Neville died in 1388.

XLIX.

ROAD AT BERDEN.

Presentment by jurors of Clavering hundred [7-13 Ric. II.] that the king's road in Berden, abutting on Patmore on the one side and Pelham on the other, is flooded for the length of sixty perches by default of the abbot of Walden, who ought to cleanse the ditches on either side by reason of his lands and tenements in the said town.

Ancient Indictments File 25 m. 25 and 26.

Hundredum de Claveryng'.

Iuratores hundredi predicti presentant quod via regia in Bierden' submersa est et abbuttat versus villam de Patmer' ex parte una et versus villam de Pellam ex parte altera ob defectum mundacionis fossarum ex utraque parte vie predictae et continet in longitudine sexaginta perticatas et quod abbas de Walden' et omnes predecessores sui fossas illas mundare consueverunt et non mundarunt ad nocumentum tocius patrie pro certis terris et tenementis que habet in villa predicta.

The abbot of Walden held Berden Hall of the Nevilles: but it is impossible now to trace any road which can be described as leading from Patmore Hall to any of the Pelhams in Hertfordshire and yet crossing the border between Hertfordshire and Essex in the parish of Berden.

L.

BRIDGE AND WATERCOURSE AT TOLLESBURY.

Presentment by jurors of Dengey and Thurstable hundreds that a bridge called Heyfeldesbrigge in the high road between Tollesbury and Alderfan wood, which the abess of Barking ought to repair by reason of her lands on the south side thereof, is broken and dangerous in winter: and that a watercourse across the high road by the said bridge, which carries the water from Ryueleslond to the ditch of the said abess on the south side of the road and which she ought to clean, has flooded the said road and the adjacent land below it.

Ancient Indictments File 25 m. 28.

Hundreda de Dangeye et de Thurstaple.

Iuratores presentant . . . quod in alta via inter Tollesbery et boscum de Alderfan est quidam pons qui vocatur Heyfeldesbrigge et quod abbatisa de Berkyngge que nunc est et omnes predecessores sue a tempore quo non extat memoria pontem predictum de iure tenentur reparare et emendare tociens quociens necesse fuerit pro certis terris que tenet ex parte australi predicti pontis: qui quidem pons ruinosus est et confractus ita quod nullus ibidem transire potest tempore yemali sine periculo submersionis ad grave nocumentum omnium hominum ibidem transeuncium et tocius patric. Item presentant quod est quedam gurges ex transverso alte vie iuxta pontem qui vocatur Hayfeldesbrigge per quam [aqu]a a terra que vocatur Ryueleslond' usque fossatum abbatisse de Berkyngge ex parte australi vie predictae currere [est con]sueta ob defectum escuracionis et mundacionis eiusdem obstupatur per quod alta via et terra ibidem subtus adiacencia . . . flixum aque predictae submersa est ad nocumentum omnium hominum ibidem transeuncium et tocius patrie: quam quidem [gurgi]tem predicta abbatisa et omnes predecessores sue de iure escurarent et mundarent.

GLOUCESTERSHIRE.

LI.

BRIDGES NEAR GLOUCESTER AND AT UP LEADON.

1. Presentment in Trinity term, 1364, before the king at Gloucester that Colverbrigge is broken and that the abbot of St. Peter, Gloucester, ought to repair it.

Precept to the sheriff.

The said abbot came before the king at Gloucester in the said term and said that the aforesaid bridge was within the king's manor of King's Barton by Gloucester, and was part of the ancient demesne of the crown and that he held it by lease from the king at fee farm and that he was not bound to repair it.

A day was given him on the octave of St. Michael, and after postponements on the morrow of the Purification, 1369, he acknowledged his liability and said that the bridge was now repaired but was broken at the time of the presentment, and he was amerced half a mark.

2. Presentment by a jury of the liberty of the duchy of Lancaster [after Hilary term, 1389] that the said bridge was broken by default of the said abbot.

Presentment by a jury of Dudston hundred [at about the same date] that a bridge between Dudston and Elbrygge called Culverbrigge was broken by default of the archbishop of York and the said abbot.

3. Presentment in Michaelmas term, 1378, before the king at Gloucester that Wotton bridge [by Gloucester] is broken and that the abbot of St. Peter, Gloucester, ought to repair it : also that Up Leadon bridge is broken and the road damaged and that the said abbot ought to repair them.

Precept to the sheriff.

On Wednesday, 3 November, the abbot came (as above) by Thomas de Wulcote, his attorney, and said that there were three bridges in Wotton namely Colrebrugge outside the town, a second inside it, and a third in the field of the aforesaid town ; he was bound to repair Colrebrugge in common with the archbishop of York ; the second bridge ought to be repaired by the townships of Wotton and Barnwood and he was bound to repair it only in the proportion of his lands in those townships ; and he acknowledged liability for the repair of the third bridge and was amerced for his failure to repair it. As to the bridge at Up Leadon he acknowledged his liability to repair it but said that it was in good repair at the time of the presentment. Thomas de Shardelowe,

suitor for the king, said that, as it was presented, the abbot alone is bound to repair the bridge in Wotton and that the bridge at Up Leadon was damaged at the time of the presentment: and he and the said abbot sought the verdict of the country. A jury came and said that the bridge of Colrebrigg' ought to be repaired by the said archbishop and abbot in common and that the second bridge in Wotton ought to be repaired by the townships of Wotton and Barnwood and that the said abbot is only liable in proportion to his lands in those townships and that Up Leadon bridge was both at the time of the presentment and at that time in good repair. The abbot went without a day in regard to the last bridge and the sheriff was ordered to have the aforesaid archbishop and townships before the king on the quinzaine of Easter.

4. Presentment in Michaelmas term, 1387, before the king at Gloucester that the bridge called Ledene between Hartpury and Newent is broken and perilous by default of the said abbot.

Precept to the sheriff.

On Thursday, 7 November, the abbot came (as above) by his attorney and acknowledged his liability to repair the said bridge, which was now in good repair, and he was amerced 3s. 4d. for his default at the time of the presentment.

1. Coram Rege Roll, Trin., 37 Edward III. rex 15.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons de Colverbrigge est dirutus et confractus ad nocumentum hominum ibidem transeuncium et quod abbas beati Petri Glouc' tenetur reparare pontem predictum de iure et non reparatur.¹ . . .

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo isto eodem termino coram domino rege apud Glouc' venit predictus abbas per attornatum suum et allocutus est qualiter de premissis sibi impositis se velit acquietare: et predictus abbas quo ad pontem de Colverbrigge dicit quod pons ille est infra manerium domini regis de Berton' Regis iuxta Glouc', quod quidem manerium est de antiquo dominico corone regis, et quod ipse tenet manerium illud ex dimissione domini regis ad feodi firmam et dicit quod ipse non tenetur nec debet pontem predictum facere nec reparare nec quod ipse nec predecessores sui illum reparare aut facere debuerunt seu consueverunt a tempore quo non extat memoria prout super ipsum presentatum est: et hoc paratus est verificare etc.¹ . . .

Et super hoc dies datus est prefato abbati coram domino rege usque

¹ Here follow proceedings against the abbot for an offence against the statute *De religiosis*.

in octabas sancti Michaelis ubicumque etc. in statu quo nunc etc. eo quod curia etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum et Ricardus de Frisby qui sequitur etc. dicit quod ipse pontem predictum facere et reparare teneatur sicut super ipsum presentatum est et hoc pro domino rege offert verificare per patriam: et predictus abbas similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Hillarii ubicumque etc. ad recognoscendum etc.

Postea continuato inde processu versus prefatum abbatem de die in diem et de termino in terminum usque in crastino Purificacionis beate Marie anno regni regis nunc quadragesimo secundo, ad quem diem coram domino rege apud Glouc' venit predictus abbas per attornatum suum et quo ad pontem vocatum Colverbrigge dicit quod ipse non potest dedicere quin ipse pontem predictum de iure reparare tenetur et quod pons predictus modo sufficienter reparatus est set tempore presentacionis predictae pons predictus dirutus fuit et confractus prout presentatum fuit. Ideo ipse in misericordia et afforietur per iusticiarios dimidia marca: et preceptum est vicecomiti quod distringat predictum abbatem per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predictus abbas reparet et mundet pontem predictum quociens et quandocumque necesse fuerit etc.

2. Ancient Indictments File 31 m. 8 and m. 13.

Libertas ducis Lancastrie cum aliis.

Iuratores presentant . . . quod pons de Culverbrugge iuxta Glouc' est confractus quod nullus ibi transire potest absque mortis periculo: quem quidem pontem abbas sancti Petri Glouc' reparare et emendare tenetur et a tempore quo non extat memoria predecessores sui reparare tenebantur.

Hundredum de Dudeston'.

Iuratores ibidem presentant quod est quidam pons inter villam de Dudeston' et Elbrygge vocatus Colverbrygge et est ita confractus et disruptus ob defectum reparacionis quod homines cum equis et carectis suis ultra pontem predictum sicut a toto tempore solebant transire non possunt ad grave dampnum et nocumentum tocius patrie et omnium aliorum cum equis et carectis ibidem transire solencium (*sic*): quem quidem pontem archiepiscopus Ebor' et abbas sancti Petri Gloucestrie de iure reparare et emendare tenentur.

3. Coram Rege Roll, Mich., 2 Richard II. rex 6.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod¹ . . . pons de Wotton' est dirrutus et contractus ad nocumentum tocius patrie et abbas sancti Petri Gloucestr' et omnes predecessores sui a tempore quo non extat memoria tenentur reparare et sustentare etc: item presentaverunt quod pons de Upledone est dirrutus et contractus et via ibidem in tantum peioratur quod nullus pertransire potest et quod abbas de Glouc' tenetur predictos pontem et viam reparare.

Per quod preceptum fuit vicecomiti quod venire faceret prefatum abbatem ad respondendum etc.

Et modo scilicet die Mercurii in crastino Animarum isto eodem termino coram domino rege apud Glouc' venit predictus abbas per Thomam de Wulcote attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat¹ . . . et quo ad hoc quod superius presentatum est quod pons de Wotton' est dirrutus et contractus etc. idem abbas qui nunc est dicit quod infra villatam de Wotton' sunt tres pontes videlicet pons de Colrebrugg' qui est extra villam de Wotton' et alius pons infra villam predictam et tercius pons est in campo ville predictae et quod predictus pons de Colrebrugg' reparari tenetur per archiepiscopum Ebor' et abbas Glouc' in communi absque hoc quod predictus abbas solus tenetur reparare dictum pontem de Colrebrugg' et hoc pretendit verificare etc. et quo ad alium pontem existentem in villa predicta predictus abbas dicit quod idem pons debet reparari per villatas de Wotton' et Bernewode et dictus abbas habet terras et tenementa in dictis villis de Bernewod' et Wotton' et secundum quantitatem terre sue in dicta villa tenetur pontem predictum reparare simul cum villatis predictis absque hoc quod predictus abbas solus tenetur reparare pontem predictum existentem in villa predicta et hoc pretendit verificare etc. et quo ad dictum pontem existentem in campo dicte ville de Wotton' predictus abbas dicit quod non potest dedicere quin ipse pontem predictum reparare et sustentare tenetur tociens quociens necesse fuerit etc. Ideo idem abbas in misericordia pro non reparacione pontis predicti et afforatur per iusticiarios ad .² Et preceptum est vicecomiti quod non omittat etc. quin distingat prefatum abbatem per omnes terras etc. ita quod securus sit quod predictus pons in campo dicte ville de Wotton' ad custus prefati abbatis

¹ Here follow a number of presentments etc. of offences against the statute *De religiosis* committed by various abbots at various dates since 10 Edw. III.

² Space left blank.

ad plenum reparatur tociens quociens necesse fuerit etc. Et quo ad predictum pontem de Upledene idem abbas dicit quod non potest dedicere quin ipse pontem predictum reparare et sustentare tenetur tociens quociens etc. set dicit quod tempore presentacionis predictae predictus pons bene et sufficienter reparatus fuit et adhuc est : et hoc paratus est verificare per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit¹ . . . quod idem abbas tenetur pontem illum solus reparare prout superius super ipsum presentatum est et hoc pro domino rege offert verificare etc. : et quo ad predictum pontem de Upledene idem Thomas qui sequitur etc. dicit quod dictus pons tempore presentacionis predictae peioratus fuit prout superius presentatum est et adhuc est et hoc pro domino rege offert verificare etc. et predictus abbas similiter. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum¹ . . . quod predictus pons de Colrebrig qui est extra villam de Wotton' debet reparari per archiepiscopum Ebor' et prefatum abbatem sancti Petri Glouc' in communi prout idem abbas superius implacitando allegavit absque hoc quod idem abbas tenetur pontem illum solus reparare et quo ad alium pontem existentem in eadem villa de Wotton' iidem iuratores dicunt quod pons predictus debet reparari per villatas de Wotton' et Bernewod' et quod idem abbas pro terris et tenementis suis que habet in predictis villis de Wotton' et Bernewod' secundum quantitatem terrarum et tenementorum predictorum tenetur pontem illum in communi simul cum villatis predictis reparare prout idem abbas superius implacitando allegavit absque hoc quod idem abbas tenetur pontem illum solus reparare etc. : et quo ad predictum pontem de Upledene iidem iuratores dicunt quod pons predictus tempore presentacionis predictae fuit et modo est bene et sufficienter reparatus prout idem abbas superius implacitando allegavit. Ideo consideratum est quod¹ . . . quo ad predictum pontem de Upledene idem abbas ad presens eat inde sine die etc. salvo semper quod idem abbas pontem predictum ad plenum reparet tociens quociens necesse fuerit etc. : et preceptum est vicecomiti quod non omittat quin venire faciat coram domino rege a die Pasche in xv dies ubicumque etc. prefatum archiepiscopum Ebor' et villatas de Wotton' et Bernewod' ad respondendum etc.

¹ Here follow a number of presentments etc. of offences against the statute *De religiosis* committed by various abbots at various dates since 10 Edw. III.

4. *Coram Rege* Roll, Mich., 11 Richard II. rex 23d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons qui vocatur Ledene inter Hardepurye et Newente dirutus est et contrafactus et quod abbas sancti Petri Glouc' et successores sui tenentur de iure pontem predictum reparare et emendare tociens quociens necesse fuerit et quod nullus de patria ultra pontem predictum absque magno periculo transire potest ad nocumentum patrie.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad reparandum etc.

Et modo scilicet die Iovis proxima ante festum sancti Martini isto eodem termino coram domino rege apud Glouc' venit predictus abbas per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et emendare non debeat: qui dicit quod ipse non potest dedicere quin ipse pontem predictum reparare et emendare tenetur sicut super ipsum presentatum est et dicit quod modo bene et sufficienter reparatus est: set quia pons predictus tempore presentacionis predicte reparatus non fuit ideo ipse in misericordia et afforatur per iusticiarios ad xl denarios. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatum abbatem per omnes terras etc. ita quod securus sit quod pons predictus ad plenum reparetur et manuteneatur.

The king was actually in Gloucester with his court and parliament and the Court of King's Bench sat there in Michaelmas term, 1389, which partly accounts for the large number of cases for this county. The court was a movable one at this period, and there are numerous other instances of a preponderance of local cases for the same reason, as for example when the court sat at Lincoln or York.

All the places near Gloucester named above lie to the east and north-east of the city, and the names of two of the bridges are preserved in Colebridge House and Elmbridge Court in Wotton.

LII.

PRESENTMENTS AGAINST THE ABBOT OF BRISTOL
AND THE BISHOP OF WORCESTER.

1. Presentment in Trinity term, 1363, before the king at Gloucester that the abbot of St. Augustine, Bristol, has not cleaned his ditches at Hasfield nor repaired his sluice or ponds by the Severn, as he ought to do, and that a bridge called Luttelbrig' on the boundary between the hundreds of Hembury and Berkeley is broken by his default.

Precept to the sheriff.

After postponements the said abbot came before the king at Westminster in Hilary term, 1372-3, and acknowledged his liability to clean the said ditches and to repair the said sluice, ponds and bridge, and said that they were now cleaned and repaired, and he was amerced one mark for his past default.

2. Presentment (as above) against the bishop of Worcester in respect of Luttelbrig'.

Precept to the sheriff, who returned that the bishop was dead.

Precept to cause the appearance of the present bishop.

On Saturday, 5 February 1367-8, the said bishop came before the king by William de Hulton, his attorney, and acknowledged liability to repair the said bridge, which he found to be broken at the time of his consecration and which he repaired immediately afterwards and which was then in good repair and he sought the verdict of the country. Thomas de Shardelowe, suitor for the king, said that the bridge was still broken and likewise sought the verdict of the country. A jury came and said that the present bishop repaired the said bridge immediately after his consecration and that it was now in good repair. The said bishop therefore went without a day.

3. Presentment in Michaelmas term, 1378, before the king at Gloucester that the common course of a water called Bracheborn at Ashelworth is stopped and that the abbot of St. Augustine, Bristol, and his tenants there ought to mend it.

Precept to the sheriff.

On Thursday, 11 November, the said abbot and his tenants came before the king at Gloucester by Simon Olyver, their attorney, and acknowledged that they were liable to open the said watercourse, but they said that at the time of the presentment it was in good repair, as it was at that time, and they sought the verdict of the country. Thomas de Shardelowe, suitor for the king, said that the watercourse was stopped both at the time of the presentment and at the present time, and likewise sought the verdict of the country. A jury came and said that the aforesaid course was in a clean state at the time of the presentment and still remained so. Therefore the abbot and his tenants went without a day.

4. Presentments by a jury of the liberty of Westminster that certain flood-gates at Ashelworth are broken, whereby certain men of Ashelworth and Hasfield have lost their profit of two hundred acres of meadow by sudden floods and that the said abbot ought to repair them: and that a common road at Ashelworth called Lakchampole is stopped, which the said abbot ought to repair.

1. Coram Rege Roll, Trin., 37 Edward III. rex 15.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod abbas sancti Augustini Bristoll' non mundavit fossata sua apud Hasfeld' nec reparavit exclusam nec stagna sua iuxta Sabrinam ad dampnum et nocumentum dominorum et aliorum vicinorum patrie

xx marcarum, ubi solebat mundare fossata predicta et reparare dictas exclusas et stagna predicta de iure etc. : et quod quidam pons vocatus Luttelbrig' in confinio de Hembury et Berkele dirrutus et confractus [est] ob defectum abbatis predicti Bristoll' qui dictam (*sic*) pontem tenentur (*sic*) de iure reparare et sustentare etc.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo isto eodem termino coram domino rege apud Bristoll' venit predictus abbas per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare fossata exclusam stagna predicta mundare et pontem predictum reparare et sustentare non debeat : et predictus abbas petit licenciam loquendi etc. Et super hoc dies datus est prefato abbati coram domino rege usque in octabas sancti Michaelis ubicumque etc. in statu quo nunc etc. eo quod curia etc.

Postea scilicet termino sancti Hillarii anno regni regis nunc Anglie quadragesimo septimo coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum et dicit quod non potest dedicere quin ipse fossata sua apud Hasfeld' mundare et exclusam et stagna sua iuxta Sabrinam reparare de iure tenetur et dicit eciam quod non potest dedicere quin ipse pontem vocatum Luttilbrig' in confinio de Hembury et Berkele de iure facere et reparare tenetur, et modo sufficienter mundata et reparata sunt : et quia fossata sua predicta non mundata et exclusa et stagna sua et pons non reparati fuerunt tempore presentacionis predictae ideo ipse in misericordia et afforatur per iusticiarios ad j marcā. Et preceptum est vicecomiti quod distringat predictum abbatem per omnes terras etc. ita quod predictus abbas mundet et reparet fossata exclusam stagna et pontem predicta quociens necesse fuerit etc.

2. Coram Rege Roll, Hil., 42 Edward III. rex 27.

Glouc'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancte Trinitatis anno regni regis nunc Anglie tricesimo septimo coram domino rege apud Glouc' presentaverunt quod pons vocatus Litelbrigge in confinio hundredorum de Hembury et Berkeleye dirrutus est et confractus ob defectum episcopi Wygorniensis, qui dictum pontem tenetur de iure reparare et sustentare.

Per quod tunc preceptum fuit vicecomiti quod venire faceret prefatum episcopum ad respondendum etc. : et pro eo quod idem vicecomes postea retornavit quod dictus tunc episcopus mortuus fuit, preceptum fuit vicecomiti quod venire faceret coram domino rege episcopum qui nunc est ad respondendum etc.

Et modo scilicet die sabbati proxima post octabas Purificacionis

beate Marie isto eodem termino coram domino rege hic venit predictus episcopus qui nunc est per Willelmum de Hulton' attornatum suum : et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et sustentare non debeat sicut super predecessorem suum presentatum fuit : qui dicit quod non potest dedicere quin ipse pontem predictum reparare et sustentare tenetur cum necesse fuerit etc. et dicit quod ipse quando in episcopatum predictum consecratus fuit invenit pontem predictum durutum (*sic*) et confractum et statim pontem illum ad plenum reparavit et quod idem pons modo sufficienter reparatur : et hoc paratus est verificare per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predictus pons adhuc non est reparatus set dirutus et confractus sicut super predecessorem suum presentatum fuit et hoc pro domino rege offert verificare per patriam etc. : et predictus episcopus qui nunc est similiter etc. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod predictus episcopus qui nunc est statim quando consecratus fuit in episcopatum predictum pontem illum ad plenum reparavit et quod dictus pons modo sufficienter reparatus est. Ideo idem episcopus ad presens eat inde sine die etc.

3. Coram Rege Roll, Mich., 2 Richard II. rex 22.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod communis cursus cuiusdam aque vocate Bracheborn' apud Asshelworth' obstupatur ad grave nocumentum patrie, quem quidem cursum aque predictae abbas sancti Augustini Bristoll' et tenentes sui ibidem emendare tenentur.

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem et tenentes ad respondendum etc.

Et modo scilicet die Iovis in festo sancti Martini isto eodem termino coram domino rege apud Glouc' venerunt tam predictus abbas quam tenentes sui predicti per Simonem Olyver attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare cursum aque predictae deobstupare et emendare non debeant sicut super ipsos presentatum est : qui dicunt quod non possunt dedicere quin ipsi cursus aque predictae in villa de Asshelworth' quociens necesse fuerit deobstupare et emendare tenentur set dicunt quod tempore presentacionis predictae cursus eiusdem aque non fuit obstupatus set bene et sufficienter mundatus et adhuc est etc. et hoc parati sunt verificare per patriam. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod cursus

eiusdem aque tempore presentationis predicte obstupatus fuit et adhuc obstupatur prout superius presentatum est et hoc pro domino rege offert verificare etc. et predictus abbas et tenentes sui similiter. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod tempore presentationis predicte cursus eiusdem aque non fuit obstupatus set bene et sufficienter mundatus et quod cursus eiusdem aque modo bene et sufficienter mundatus est et non obstupatus prout superius presentatum est. Ideo iidem abbas et tenentes sui eant inde sine die etc.

4. Ancient Indictments File 182 m. 20.

Libertas : hundredum de Westmonasterio.

Transgressio. Iuratores ibidem presentant . . . quod communis cursus cuiusdam aque vocate Bracheborn' . . . [*etc. as in No. 3*].

Transgressio. Item presentant quod sunt quidam flogates apud Asshelworth' qui sunt defracti et non reparati, per quod diversi homines villarum de Asshelworth et Assefeld amiserunt proficuum ducentarum acrarum pratorum per subitos fluctuos (*sic*) ad grave nocumentum etc. : quos quidem flogates predictus abbas reparare tenetur.

Transgressio. Item presentant quod communis via vocata Lakehampole apud Asshelworth' est ruinosa et obstupata eo (*sic*) quod nullus ibidem transire possit quam quidem viam predictus abbas reparare tenetur.

LIII.

BRIDGE AT BADGEWORTH.

1. Presentment in Trinity term, 1363, before the king at Gloucester that the bridge of Horsebeyrebrigge at Badgeworth is broken and that the township of Badgeworth ought to repair it.

Precept to the sheriff.

The said township came, as above, by their attorneys and acknowledged their liability and were in mercy for several defaults.

2. Presentment in 21 Richard II. by jurors of the hundred of St. Briavel's that a bridge in the said town was broken so that men with horses and carts could not cross it and that Elizabeth Audeley and Ancret Talbot ought to repair it.

1. Coram Rege Roll, Trin., 37 Edward III. rex 15d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt

quod pons de Horsbeyrebrigg' est dirrutus est (*sic*) et confractus ad nocumentum hominum ibidem transeuncium et quod villata de Beggeworth' de iure tenetur reparare pontem predictum et non reparatur.

Per quod preceptum fuit vicecomiti quod venire faceret eas (*sic*) etc.

Et modo isto eodem termino coram domino rege venit predicta villata per attornatos suos et quesitum est ab eis si quid pro se habeant vel dicere sciant quare predictum pontem reparare et sustentare non debeant : qui dicunt quod non possunt dedicere quin pontem predictum reparare et sustentare teneantur. Ideo ipse (*sic*) in misericordia etc. Et distringantur ad pontem predictum reparandum quociens necesse fuerit etc. Et eciam predicta villata in misericordia pro pluribus defaultis etc.

2. Ancient Indictments File 31 m. 4.

Hundredum Seynbrevelli.

Iuratores presentant . . . anno regni regis Ricardi xxjo . . . quod est quidam pons apud Begworth et est ita confractus et disruptus ob defectum reparacionis quod homines cum equis et caretis suis ultra pontem predictum transire non possunt sicut a toto tempore transire solebant ad grave dampnum et nocumentum tocius patrie et omnium aliorum ibidem cum equis et caretis transire solencium : quem quidem pontem Elizabetha Audeley et Ancret Talbot de iure reparare et emendare tenentur.

This is an instance of a presentment by a jury of a default in a hundred in a totally different part of the county. The hundred of St. Briavel's roughly represents the Forest of Dean, whereas Badgeworth is four miles north-east of Gloucester.

The manor of Badgeworth was part of the possessions of the earldom of Pembroke and the families of Audley and Talbot held parts of it as descendants of co-heiresses at the time of the death of the last earl.

LIV.

ROAD NEAR KINGSWOOD.

Presentment by jurors of Berkeley hundred that the highway between Huntingford and Horsforde bridges is impassable by default of the abbot of Kingswood.

Precept to the sheriff.

On the quinzaine of Trinity, 1363, the said abbot came before the king at Bristol and, while not admitting any such default on his part, said that

the aforesaid road lay wholly in the county of Wilts, and that he ought not to answer a presentment by a jury of the county of Gloucester. Richard de Friseby, the suitor for the king, said that the aforesaid road lay wholly in the county of Gloucester and was impassable by default of the said abbot; and they both sought the verdict of the country. On Tuesday, 27 June, a jury came and said that the said road lay wholly in the county of Wilts, and not in the county of Gloucester, and the abbot went without a day.

Ancient Indictments File 29 m. 67.¹

Berkeley.

Xij iurati dicunt quod altus vicus ² inter pontem de Huntunforde et pontem de Horsforde peioratur ita quod homines ibidem transire non possunt in defectu abbatis de Kynggeswode qui de iure tenetur reparare etc.

Coram Rege Roll, Trin., 37 Edward III. rex 14d.

. . . Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Postea scilicet a die sancte Trinitatis in xv dies isto eodem termino coram domino rege apud Glouc' venit predictus abbas per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare et facere non debeat etc.: qui quidem abbas protestando quod non cognovit aliquam altam viam ibidem esse peioratam in defectu ipsius abbatis nec quod ipse aliquam viam ibidem facere et reparare tenetur etc. dicit quod alta via inter pontem de Huntunforde et pontem de Horsforde est integre in comitatu Wiltes et non in comitatu Glouc' et non intendit quod ipse ad aliquam presentationem factam per iuratum de comitatu Glouc' de aliqua re in comitatu Wiltes' facta respondere debeat seu occasionari aliquo modo et petit iudicium etc. Et Ricardus de Friseby qui sequitur pro domino rege dicit quod alta via predicta inter pontem de Huntunforde et pontem de Horsforde est in comitatu Glouc' et quod intantum peioratur ita quod homines ibidem transire non possunt in defectu ipsius abbatis et quod idem abbas dictam viam facere et reparare tenetur etc. prout per presentationem predictam supponitur et hoc pro domino rege offert verificare etc.: et predictus abbas similiter. Ideo veniat inde iurata coram domino rege apud Bristoll' die Martis proxima post festum Nativitatis sancti Iohannis Baptiste ad recognoscendum etc. Ad quem diem coram domino rege apud Bristoll' venit predictus abbas per

¹ This document is written on paper.

² *Alta via* in *Coram Rege Roll*.

attornatum suum et similiter iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod alta via inter pontem de Huntunforde et pontem de Horsforde est integre in comitatu Wiltes et non in comitatu Glouc'. Ideo consideratum est quod predictus abbas eat inde sine die salvo semper iure regis etc.

The road in question crossed a detached portion of Wiltshire, containing the parish of Kingswood, which was united to Gloucestershire in 1844. Huntingford is a hamlet of Wotton-under-Edge in the hundred of that name and the other terminal point is probably Horse Bridge by Wickwar.

LV.

DITCH AT HILL.

Presentment by the great inquest [*circa* 1363] that a ditch called Runedich in Berkeley hundred between Hill and Oldbury is stopped by stones set there by Ralph earl of Stafford and his ministers so that the whole country is flooded and that the said earl ought to repair it.

Ancient Indictments File 29 m. 40.

Magna inquisicio dicit quod quoddam fossatum vocatum Runedich in hundredo de Berkel' inter villatam de Hull' et villatam de Oldebur' obstupatur per petras ibi positas per Radulfum comitem Stafford' et ministros suos, qui tenetur reparare, ad nocumentum tocius patrie ita quod tota patria ibidem demergitur, unde petit remedium.

LVI.

ROAD AT WINCHCOMBE.

Presentment [*circa* 1363] that the king's road from Beggarestey to Winchcombe is in decay by default of John Sudleye, knight.

Ancient Indictments File 29 m. 40.

Dicunt quod regia via que ducit a Beggarestey usque Wynhecombe deterioratur in defectu Iohannis Sudleye chivaler, qui tenetur reparare.

LVII.

ROAD AT SLIMBRIDGE.

Presentment [*circa* 1363] that the king's road between the bridges of Wiggestowe and Cambridge is in decay by default of the townships of Coaly and Slimbridge.

Ancient Indictments File 29 m. 40.

Dicunt quod quadam (*sic*) via regia inter pontem de Wiggestowe et pontem de Cambrugge deterioratur in defectu villate de Coueleye et villate de Slymbrugge qui tenetur (*sic*) reparare.

Cambridge is the name of a bridge and hamlet in Slimbridge, and Wiggestowe bridge, now called Wickster's bridge, is on the boundaries of Frampton, Frocester, Eastington and Slimbridge parishes.

LVIII.

BRIDGE NEAR STROUD.

1. Presentment in Hilary term, 1367-8, that Dodebrugge bridge is in decay in default of the township of Stonehouse.

Precept to the sheriff.

On Monday, 7 February, the men of the said township came before the king by John de Whatton their attorney and said that the aforesaid bridge was built of three arches and that they were only bound to repair the western arch, which was damaged by flood water and was now being repaired, and they say that the townships of Bisley and Minchinhampton ought to repair the two other arches. Thomas de Shardelowe, suitor for the king, said that the township of Stonehouse was alone in default and that the bridge was in decay and he and the said township sought the verdict of the country. A jury came and said that the aforesaid bridge was built of three arches, and that the township of Stonehouse ought to repair the 'Westarch,' which was damaged and was being repaired, and that the townships of Bisley and Minchinhampton ought to repair the other arches which were now in adequate repair. The township of Stonehouse was amerced half a mark.

2. Presentment in Michaelmas term, 1378, before the king at Gloucester that all the townships of Bisley hundred ought to repair the middle third-part of Dodebrugge by Stonehouse, which was broken.

Precept to the sheriff.

On Monday, 25 October, the men of the townships of Bisley hundred, namely Bisley, Trougham, Bidfield, Miserden, Winston, Edgeworth, Saperton, Lower Lypiatt, Upper Lypiatt, Paganhill, Wishanger and Tunley came in person before the king at Gloucester and admitted their liability and readiness to repair the said third part, which was broken, and were amerced twenty shillings.

3. Presentment [*temp. Ric. II.*] by jurors of Whitstone hundred that the said bridge was broken and that the men of Bisley, Paganhill, Lower Lypiatt, Upper Lypiatt, Tunley, Steanbridge, Bidfield, Trougham, Wishanger, Edgeworth and Frampton Mansell ought to repair it.

4. Presentment [*temp. Ric. II.*] by jurors of the hundreds of Longtree and Crowthorne that the township of Bisley ought to repair the middle third part of Dodebrugge by Bisley which has been broken for three years past.

1. Coram Rege Roll, Hil., 42 Edward III. rex 18d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege hic presentaverunt quod pons de Dodebrugge deterioratur in defectu villate de Stonhouse ad grave dampnum populi.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet die Lune proxima post festum Purificacionis beate Marie isto eodem termino coram domino rege hic venerunt homines villate predictae per Iohannem de Whatton' attornatum suum: et questum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare et emendare non debeant: qui dicunt quod pons predictus ex tribus arcubus constructus extat et quod ipsi solomodo unum arcum in ponte predicto vocatum Westarch' facere et reparare tenentur, qui quidem arcus modo per superfluitatem aque supervenientis deterioratur set quod modo est in reparando etc. et quod villate de Byseley et Minchinhampton' alios duos arcus in ponte predicto facere et reparare tenentur, qui quidem arcus modo est in reparando: et hoc parati sunt verificare per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predictus pons de Dodebrugge deterioratur tantum in defectu predictae villate de Stonhouse sicut super ipsam presentatur et quod pons predictus non est in reparando et hoc pro domino rege offert verificare per patriam. Ideo fiat inde iurata. Iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod predictus pons constructus est de tribus arcubus et quod predicta villata de Stonhouse tantum tenetur reparare unum arcum in ponte predicto vocatum Westarch' qui quidem arcus per superfluitatem aque supervenientis deterioratur et quod modo est in reparando et quod predictae villate de Byselegh' et Munchenhampton' alios duos arcus in ponte predicto tenentur reparare qui quidem duo arcus ad presens sufficienter reparati sunt. Ideo predicta villata de Stonehouse pro non reparacione etc. in misericordia et afforatur per iusticiarios ad dimidium marcam: et preceptum est vicecomiti quod distringat predictam villatam de Stonhouse ad arcum predictum reparandum etc.

2. Coram Rege Roll, Mich., 2 Richard II. rex 17.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod omnes villate hundredi de Bisele tenentur reparare et sustentare terciam partem pontis de Dodebrugge iuxta Stonehouse, scilicet illam

partem que est in medio dicti pontis, et non faciunt et extitit confracta in earum defectu per medietatem istius anni ad grave nocumentum tocius patrie.

Per quod preceptum fuit vicecomiti quod venire faceret omnes villatas hundredi predicti ad respondendum etc.

Et modo scilicet die Lune proxima ante festum apostolorum Simonis et Iude coram domino rege apud Glouc' venerunt homines villatarum hundredi predicti videlicet villate de Byssleleye villate de Throuham villate de Bedefeld' villate de Muserden' villate de Wynston' villate de Eggesworth' villate de Sapurton' villate de Netherlepyate villate de Overlepyate villate de Pagonhull' villate de Wysangr' et villate de Tonleye in propriis personis suis et quesitum est ab eis si quid pro se habeant vel dicere sciant quare terciam partem pontis predicti reparare et sustentare non debeant sicut super ipsos presentatum est: qui quidem homines dicunt quod non possunt dedicere quin tercia pars pontis predicti dirruta est et confracta sicut superius presentatum est et quod ipsi terciam partem predictam de iure facere et reparare tenentur et quod ipsi parati sunt partem predictam reparare cum etc. Ideo iidem homines villatarum predictarum in misericordia pro non reparacione etc. et afferatur per iusticiarios ad viginti solidos. Et preceptum est vicecomiti quod non omittat etc. quin distringat homines villatarum predictarum per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod homines predicti predictam terciam partem pontis predicti ad custus suos proprios ad plenum reparent tociens quociens etc.

3. Ancient Indictments File 182 m. 6.

Hundredum de Whiston'.

Iuratores ibidem presentant . . . quod pons de Dodebrug' dirrutus est et confractus ad maximum nocumentum tocius populi ibidem transeuntis: quem quidem pontem homines villatarum de Bysle Pakenell' Nyderlepeyate Ovyrlepeyate Tonley Stenynbrug Bedyfeld' Drowham Wysongre Eggesworth et Frompton Maunsel reparare tenentur.

4. Ancient Indictments File 182 m. 17.

Hundreda de Langetre et Crouthorn'.

Philippus Rodberwe et alii iuratores presentant . . . quod villata de Byseleye tenetur reparare et sustentare terciam partem pontis vocati Dogebrugge iuxta Biseleye videlicet illam terciam partem que est

in medio pontis predicti et non faciunt ad grave nocumentum totius patrie et aliorum et extitit predicta tertia pars contracta in eorum defectu per iij annos elapsos.

These presentments shew marked divergences. In the first the liability is divided between the townships of Stonehouse, Bisley and Minchinhampton. In the second all the townships of Bisley hundred are liable for the middle arch only. In the third a similar list of townships (but with several differences) is liable for the whole bridge; finally the fourth presentment agrees in part with the first, but calls the bridge Dogebrugge and not Dodbrugge.

Dudbridge is now the name of a hamlet in King Stanley in the direction of Stroud; it is possible that the construction of the Stroudwater canal lessened the waters of the river Frome and ended the necessity for an important bridge here. At any rate no bridge can be traced in the One-Inch Ordnance Map.

LIX.

DITCH AT GOTHERINGTON AND PATH AND BRIDGE AT TEWKESBURY.

1. Presentment in Hilary term, 1367-8, before the king at Gloucester that Thomas abbot of Tewkesbury ought to clean Dyke ditch at Gotherington and that it is not cleaned: and also that the said abbot has stopped the king's path between Tewkesbury and Forthampton called Comberhull with a ditch and hedge so that the men of the country cannot pass on their business.

Precept to the sheriff.

On Monday, 7 February, the said abbot came before the king at Gloucester by William de Hulton his attorney and said that, as to the aforesaid ditch, there was no ditch there but some earth of about twenty perches in length raised like a wall of old time by the will of his predecessors for the protection of their grain, below which he was bound to plough a single furrow as large as a plough can draw at one time, which was then adequately done, and that he is not bound to clean any ditch there: and, as to the footpath, he said that he had some arable land there, along which ran a common way by which men were wont to pass beyond Comberhull in the winter only by the permission of him and his predecessors and that there was no king's path there. Thomas de Shardelowe, suitor for the king, said that there was a ditch at Gotherington called Dyke, which the abbot was bound to clean and that he had stopped the king's footpath called Comberhull, as it was presented: and he and the said abbot sought the verdict of the country. A jury came before the king at Gloucester on Saturday, 12 February, and said that there was no ditch called Dyke which the abbot ought to clean at Gotherington but an ancient earthwork erected by his predecessors for the safety of their grain beneath which the said abbot was bound to plough a single furrow as aforesaid, which was adequately done, and that there was no king's path as aforesaid called Comberhull which the said abbot had stopped but

that the path existed only at his will. Therefore the abbot went without a day.

2. Presentment as aforesaid that the north part of Tewkesbury bridge over the Avon was broken by default of the township of Tewkesbury.

Precept to the sheriff.

On Monday, 14 February, the men of the township came in person before the king at Gloucester and acknowledged their liability and readiness to repair the said part of the bridge, which was broken, and were amerced 6s. 8d.

1. Coram Rege Roll, Hil., 42 Edward III. rex 19.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod Thomas abbas de Teukesbury tenetur mundare fossatum de Dyke apud Godryngton' et non mundatur ad magnum nocumentum totius patrie: item quod idem abbas obstupavit quandam semitam regiam cum quodam fossato et sepe inter Teukesbury et Forthampton' que vocatur Comberhull', quod homines de patria non possunt transire ad proficua sua facienda.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo scilicet die Lune proxima post festum Purificacionis beate Marie isto eodem termino coram domino rege apud Glouc' venit predictus Thomas abbas etc. per Willelmum de Hulton' attornatum suum et dicit quod quo ad hoc quod presentatum est ipsum teneri mundare fossatum de Dyke apud Goderynton' etc. dicit quod non est ibi aliquod fossatum set terra elevata ad modum cuiusdam muri circiter quater viginti perticarum in longitudine levata ex antiquo ex mera voluntate predecessorum suorum pro conservacione bladorum suorum in terra eorum ibidem seminandorum, sub qua elevacione terre idem abbas tenetur rigare sive arare unum sulcum quantum per unam carucam semel trahi poterit, qui quidem sulcus sufficienter aratur, absque hoc quod idem abbas aliquod fossatum ibidem mundare tenetur prout per presentacionem predictam supponitur et hoc paratus est verificare etc. Et quo ad hoc quod presentatum est quod idem abbas obstupavit quandam semitam regiam apud Comberhull' inter Teukesbury et Forhampton' dicit quod ipse habet ibidem terram arabilem, iuxta quam terram quedam via communis se extendit in longitudine, et dicit quod homines ibidem transeuntes aliquando tempore yemali solebant transire ultra predictam terram de Comberhill' solomodo ex permissione dicti abbatis et predecessorum suorum absque hoc quod in loco predicto de Cumberhill', ubi presentatur predicta fossata et sepem levata ex transverso, est aut fuit aliqua semita regia vel de iure debita prout per presentacionem predictam similiter supponitur et hoc paratur similiter

verificare etc.: et Thomas de Shardelowe qui sequitur pro domino rege dicit quod est quoddam fossatum de Dyke apud Goderyngton' quodque idem abbas tenetur mundare etc. et quod est quedam semita regia cum fossato et sepe inter Teukesbury et Forthampton' que vocatur Cumberhull' per ipsum abbatem obstupata prout per presentacionem predictam supponitur et hoc pro domino rege offert verificare per patriam etc.: et predictus abbas similiter. Ideo veniat inde iurata coram domino rege apud Glouc' die sabbati proxima post octabas Purificacionis beate Marie et qui etc. Idem dies datus est prefato abbati etc.

Ad quem diem coram domino rege apud Glouc' venit predictus abbas per attornatum suum predictum: et similiter iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod non est aliquod fossatum vocatum Dike apud Goderyngton' quod idem abbas tenetur mundare sicut super ipsum presentatum est et dicunt quod est ibidem quedam ereccio terre per predecessores ipsius abbatis ex antiquo pro salvacione bladum suorum ibidem seminandorum, sub qua quidem ereccione terre idem abbas tenetur arare unum sulcum quantum per unam carucam semel trahi poterit, qui quidem sulcus modo sufficienter aratus est et mundatus: et quoad semitam predictam iidem iuratores dicunt quod idem abbas aliquam semitam regiam ibidem cum quodam fossato et sepe non obstupavit sicut superius super ipsum presentatum est nec quod est aliqua semita ibidem vocata Cumberhull' nisi solomodo ad voluntatem et permissionem ipsius abbatis etc. Ideo consideratum est quod idem abbas eat inde sine die etc.

2. Coram Rege Roll, Hil., 42 Edward III. rex 27.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege hic presentaverunt quod pons de Teukesbury in parte boriali in regia via super Avene est defractus in defectu villate de Teukesbury.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet die Lune proxima post octabas Purificacionis beate Marie isto eodem termino coram domino rege apud Glouc' venerunt homines villate predictae in propriis personis suis: et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum in parte predicta reparare non debeant: qui dicunt quod non possunt dedicere quin ipsi pontem predictum in parte predicta reparare teneantur et quod tempore presentacionis predictae pons predictus

defractus fuit prout presentatum est et quod ipsi parati sunt pontem predictum reparare cum necesse fuerit etc.

Ideo iidem homines pro non reparacione etc. in misericordia et afforatur per iusticiarios ad dimidiam marcā: et preceptum est vicecomiti quod non omittat etc. quin distringat predictam villatam per omnes terras etc. ita quod securus sit quod reparent pontem predictum cum necesse fuerit etc.

Rudder¹ quotes an order made at the assizes at Tewkesbury in 14 Charles I, whereby, in consequence of the decayed condition of the Long Bridge at the north end of the town, which had continued for many years and caused many deaths by drowning, and in consequence of the inability to discover on whom the liability for the repair lay, a rate was imposed upon the whole county to repair the bridge, the corporation of Tewkesbury being bound to maintain it for the future, with a proviso that the order should not be an example to the prejudice of the county.

LX.

ROAD AND BRIDGE AT SAUL.

1. Presentment in Hilary term, 1367-8, that the king's road between Saul and Frethern is flooded by default of the township of Saul and of the rector of Edington, lord of Frethern, whose lands and tenements adjoin the said road.

Precept to the sheriff.

After postponements, on the octave of Hilary, 1371-2, the said township came before the king at Westminster and acknowledged their joint liability with the said rector and said that the said road was flooded at the time of the presentment. They were amerced 6s. 8d. and a day was given to the said rector on the quinzaine of Easter.

2. Presentment in Hilary term, 1367-8, that the bridge between Saul and Framlode is broken by default of the township of Saul.

Precept to the sheriff.

On Monday, 14 February, the men of the said township came in person before the king at Gloucester and acknowledged that the bridge was broken and that they were liable to repair it; and they were amerced 3s. 4d.

Coram Rege Roll, Hil., 42 Edward III. rex 27.

1. *Glouc'*. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege hic presentaverunt quod regia via inter Salle et Frethorn' est ita periculosa et inmundā [*rectius inunda*] quod nemo potest vix per illam transire: quam viam villata de Salle et rector de Edyngton' dominus de Frethern' tenentur mundare pro terris et tenementis vie predictae anexas.

¹ *History of Gloucestershire*, p. 737.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam et rectorem etc.

Et modo scilicet die sabbati proxima post octabas Purificacionis beate Marie isto eodem termino coram domino rege apud Glouc' venerunt homines villate predictæ et predictus rector per attornatos suos et quesitum est ab eis si quid pro se habeant vel dicere sciant quare regiam viam predictam pro terris [et] tenementis suis vie predictæ anequis mundare non debeant : qui petunt licenciam inde loquendi etc. Et super hoc datus est dies tam prefatis hominibus villate predictæ quam prefato rectori usque a die Pasche in xv dies ubicumque etc. in eodem statu quo nunc etc.

Postea scilicet in octabis sancti Hillarii anno regni regis nunc Angliæ quadragesimo sexto coram domino rege apud Westmonasterium venit predicta villata per attornatum suum et dicit quod non potest dedicere quin ipse (*sic*) simul cum predicto rectore viam predictam de iure mundare tenetur pro terris et tenementis suis vie predictæ anequis nec quod via predicta tempore presentacionis predictæ inundata fuit. Et quia predicta via tempore presentacionis predictæ inundata fuit ideo villata predicta in misericordia et afforatur per iusticiarios ad dimidiam marcam : et preceptum est vicecomiti quod distringat predictam villatam per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod via predicta mundata sit quociens et quando necesse fuerit etc. Et dies datus est prefato rectori per attornatum suum usque a die Pasche in xv dies ubicumque etc. in statu quo nunc etc. eo quod curia etc.

2. *Glouc'*. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege hic presentaverunt quod pons inter Salle et Freemelode est defractus (*sic*) in defectu villate de Salle.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet die Lune proxima post octabas Purificacionis beate Marie isto eodem termino coram domino rege apud Glouc' venerunt homines villate predictæ in propriis personis suis : et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare non debeant : qui dicunt quod ipsi non possunt dedicere quin ipsi pontem predictum reparare tenentur et quod pons predictus modo defractus est prout presentatum est et quod ipsi parati sunt pontem predictum reparare etc. Ideo ipsi in misericordia pro non reparacione etc. et afforatur per iusticiarios ad xl denarios : et preceptum est vicecomiti quod non omittat etc. quin distringat villatam

predictam per omnes terras etc. ita quod securus sit quod reparent pontem predictum.

The rector of Edington is almost certainly the rector of the house of Bonhommes of Edington in Wiltshire, who owned land in Gloucestershire : neither Dugdale nor Tanner, however, names Frethern as a manor belonging to that foundation.

LXI.

BRIDGE AND DITCH NEAR CHURCHDOWN.

Presentment in Hilary term, 1367-8, that Brickhampton bridge in the king's road is broken by default of the township of Brickhampton. Precept to the sheriff.

On Monday, 14 February, the men of the said township came before the king in person and acknowledged their joint liability with the township of Purton to repair the said bridge, which was now in repair. Thomas de Shardelowe, suitor for the king, said that the township of Brickhampton was alone liable and that the bridge was broken ; and he and the said township sought the verdict of the country. A jury came and said that the aforesaid two townships were bound to repair the said bridge, which was in repair but that a ditch near the said bridge was stopped by default of the said two townships at the time of the presentment and was now being cleared by them. The said townships were each amerced 3s. 4d. for the aforesaid stoppage.

Coram Rege Roll, Hil., 42 Edward III. rex 27d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege hic presentaverunt quod pons de Bryghthampton' in regia via defracta (*sic*) est in defectu villate de Bryghthampton'.

Per quod preceptum fuit vicecomiti quod venire faceret villatam predictam ad respondendum domino regi etc.

Et modo scilicet die Lune proxima post octabas Purificacionis beate Marie isto eodem termino coram domino rege hic venerunt homines villate predictae in propriis personis suis : et quesitum est ab eis si quid dicere sciant quare pontem predictum reparare non debeant : qui dicunt quod non possunt dedicere quin ipsi pontem predictum simul cum villata de Perton' reparare tenentur et quod pons predictus sufficienter reparatus est : et hoc petunt quod inquiratur per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predicta villata de Bryghthampton' sola tenetur reparare pontem predictum et quod idem pons non sufficienter reparatur set est dirutus sicut super ipsos presentatum est : et hoc pro domino rege offert verificare etc. : et homines villate predictae similiter. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod predicta villata de Bryghthampton' pontem predictum una cum predicta villata de Perton' reparare tenetur et quod predictus pons modo sufficienter reparatus est ; set dicunt quod est quoddam fossatum iuxta pontem predictum quod tempore presentacionis super predictam villatam de Bryghthampton' de ponte predicto fuit obstupatum in defectu predictarum villatarum de Bryghthampton' et Perton' et quod fossatum predictum modo est in deopstupando per villatas predictas. Ideo eedem villate pro obstupacione predicta in misericordia et afforatur qualibet villata per iusticiarios ad xl denarios. Et predictæ villate distringantur ad pontem predictum reparandum et ad fossatum predictum deobstupandum cum etc.

LXII.

ROAD AT HARESFIELD.

1. Presentment in Trinity term, 1363, before the king at Gloucester that the king's road called Hoskareslo below Haresfield park is stopped by default of John de Burleye, knight, and is impassable in winter.

Precept to the sheriff.

After a postponement the said John came before the king on the octaves of Michaelmas at Westminster and said that he, Edward Seynt Johan, the prior of Lanthony by Gloucester and the township of Haresfield were bound in common to repair the said road by reason of their lands and tenements in the said county and that he was ready to do so, had the others been willing, but that he was not bound to repair the said road without assistance. Richard de Friseby, suitor for the king, said that he was so bound ; and he and the said John sought the verdict of the country.

After postponements, on the octaves of Hilary, 1368-9, a jury came before the king at Gloucester and said that the aforesaid Edward Seynt Johan by reason of his lands within the lordship of Haresfield and the said township by reason of its lands lying towards the said road were bound with the aforesaid John to repair the said road, but that neither the said prior nor his predecessors had ever been bound to repair any part thereof.

Precept to the sheriff.

On 9 February the said Edward came before the king at Westminster by Thomas de Thorp, his attorney, and said that he had no lands or tenements in the said town which made him liable to repair the said road. Thomas de Shardelowe, suitor for the king, said that he was liable as aforesaid : and he and the said Edward sought the verdict of the country. A jury was summoned for the quinzaine of Easter.

Afterwards, on 3 November 1370, the men of the said township came before the king at Westminster by Stephen Lugwardyn, their attorney, and

admitted their liability to repair the said road together with the aforesaid Edward and John: and they were amerced 3s. 4d.

Afterwards on the octave of Hilary, 1371-2, the said prior came before the king at Westminster by his attorney and said that he was not bound to repair any part of the said road. Thomas de Shardelowe, suitor for the king, said that he was so bound: and he and the said prior sought the verdict of the country. A jury was summoned for the quinzaine of Easter.

2. Afterwards in the process against the said Edward Seynt Johan, on the octave of Michaelmas, 1378, the said Edward did not appear, although called on the fourth day, but a jury came and said that he had certain lands and tenements, whereby he, as one of the tenants of Haresfield, was liable in the proportion of his tenure to repair the said road, and not otherwise, together with the other tenants of land there and the said John.

Precept to the sheriff to distrain the said John and the said township.

1. Coram Rege Roll, Hil., 43 Edward III. rex 19d.

Glouc'. Alias scilicet termino sancte Trinitatis anno regni regis nunc tricesimo septimo rotulo xxj inter placita regis irrotulatur sic: Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod regia via vocata Hoskareslo subtus parcum de Harsefeld obstupatur in defectu Iohannis de Burleye militis qui tenetur reparare ita quod in tempore yemali nemo poterit ibidem equitare nec transire.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo isto eodem termino coram domino rege apud Glouc' venit predictus Iohannes per attornatum suum: et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare non debeat: qui quidem Iohannes petit licenciam loquendi usque in octabas sancti Michaelis ubicumque etc. et ei conceditur etc. Ad quem diem coram domino rege apud Westmonasterium venit predictus Iohannes de Burle et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare non debeat sicut super ipsum presentatum est: qui dicit quod ipse et Edwardus Seynt Iohan prior de Lanthonia iuxta Glouc' et villata de Harsfeld' pro terris et tenementis que tenent in comitatu predicto reparare et sustentare in communi tenentur et dicit quod paratus est et semper fuit viam illam facere et reparare si predictus Edwardus prior et villata viam illam fecisse voluissent absque hoc quod ipse viam illam solus absque aliquo auxilio habendo facere et reparare tenetur prout super ipsum presentatum est: et hoc offert verificare per patriam. Et Ricardus de Frisby qui sequitur etc. dicit quod predictus Iohannes viam illam solus absque auxilio habendo facere et reparare tenetur prout per

presentationem predictam supponitur et hoc pro domino rege offert verificare per patriam: et predictus Iohannes similiter.

Postea continuato inde processu usque ad hunc diem scilicet in octabas sancti Hillarii anno regni regis nunc quadragesimo secundo ad quem diem coram domino rege apud Glouc' venit predictus Iohannes Burley per attornatum suum et similiter iuratores venerunt: qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus Edwardus Seint Iohan pro terris et tenementis suis que habet infra dominium de Haresfeld' et predicta villata de Haresfeld' pro terris suis iacentibus versus regiam viam predictam tenentur viam predictam simul cum prefato Iohanne de Burleye reparare et sustentare, prout per responsionem suam predictam supponitur, et quod predictus prior de Lanthonia aliquam partem vie predictae de iure reparare et sustentare non tenetur nec aliqui predecessores ipsius prioris viam predictam seu aliquam partem eiusdem aliquo tempore reparavit etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Edwardum et villatam ad respondendum etc.

Et modo scilicet in octabis Purificacionis beate Marie anno regni regis nunc quadragesimo tercio coram domino rege apud Westmonasterium venit predictus Edwardus per Thomam de Thorp' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare et sustentare non debeat sicut super ipsum presentatum est: qui dicit quod ipse non habet aliqua terras seu tenementa in predicta villa de Haresfeld' pro quibus ipse tenetur viam predictam reparare et sustentare et hoc paratus est verificare per patriam etc. Et Thomas de Shardelowe qui sequitur etc. dicit quod predictus Edwardus pro terris et tenementis que habet in predicta villa de Haresfeld' tenetur viam predictam reparare et sustentare sicut super ipsum presentatum est: et hoc pro domino rege offert verificare etc. et predictus Edwardus similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Postea scilicet in crastino Animarum anno regni regis nunc Anglie quadragesimo quarto coram domino rege apud Westmonasterium venerunt homines predictae villate per Stephanum Lugwardyn attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare viam predictam simul cum predicto Edwardo et Iohanne de Burley reparare et sustentare non debeat (*sic*): qui quidem homines per attornatum suum predictum dicunt quod non possunt dedicere quin ipsi pro terris suis adiacentibus versus regiam viam predictam tenentur viam illam simul cum prefato Edwardo et Iohanne

de Burley reparare et sustentare prout superius presentatum est. Ideo ipsi in misericordia et afforatur per iusticiarios ad xl denarios: et preceptum est vicecomiti quod non omittat etc. quin distringat prefatam villatam etc. ad viam predictam reparandam et sustentandam simul etc. cum necesse fuerit etc.

Postea continuato inde processu versus prefatum priorem de Lanthonia usque in octabas sancti Hillarii anno regni regis nunc Anglie quadragesimo quinto, ad quem diem coram domino rege apud Westmonasterium venit predictus prior per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam illam simul etc. reparare et sustentare non debeat: qui dicit quod ipse non tenetur viam predictam nec aliquam parcellam eiusdem reparare et sustentare prout ei imponitur; et hoc paratus est verificare per patriam etc. Et Thomas de Shardelowe qui sequitur dicit quod predictus prior viam predictam simul etc. reparare et sustentare de iure tenetur sicut super ipsum imponitur: et hoc pro domino rege offert verificare etc. et predictus prior similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

2. Coram Rege Roll, Mich., 2 Richard II. rex 15.

. . . Postea continuato inde processu versus prefatum Edwardum Seynt Iohan usque in octabas sancti Michaelis anno regni regis Ricardi secundi post conquestum secundo, ad quem diem coram domino rege apud Glouc' predictus Edwardus licet quarto die placiti solempniter vocatus non venit; set iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus Edwardus Seint Iohan habet certa terras et tenementa in villa de Harsfelde pro quibus ipse ut unus tenencium eiusdem ville pro porcione sua tenementorum predictorum simul cum aliis tenentibus ville predictae et prefato Iohanni (*sic*) Burley viam predictam reparare et sustentare tenetur et non alio modo etc. Ideo preceptum est vicecomiti quod non omittat etc. quin distringat etc. prefatum Iohannem de Burle et villatam de Haresfeld' per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod via predicta ad custus predictorum Iohannis et villate ad plenum reparetur et sustentetur tociens quociens necesse fuerit etc.

LXIII.

BRIDGE AT CORSE.

Presentment in Michaelmas term, 1378, before the king at Gloucester, that a bridge in le Portestrete at Corse between the land of lady le Despenser and

of Gilbert Tolly is broken and that the said lady is bound to repair it with the said Gilbert.

Precept to the sheriff.

On Wednesday, 20 October, the said lady came before the king at Gloucester by Alexander Domynyk, her attorney, and said that she held lands and tenements in Staunton by Corse, whereby she was bound to repair the said bridge in the proportion of her lands in common with the whole township and that she was not bound alone with Gilbert Tolly to do so. Thomas de Shardelowe, suitor for the king, said that she was bound as was presented together with the said Gilbert; and this he and the said lady offered to verify. A jury came and said that the aforesaid lady was bound with the said Gilbert in common with the aforesaid township of Staunton by reason of her lands there to repair the said bridge and that she was not bound to repair it alone with the said Gilbert.

Precept to the sheriff to have the said township before the king.

On Saturday, 20 November, the men of the said township came before the king at Gloucester in person and acknowledged that the bridge was broken and that they together with the said lady as one of the tenants of land there and with the said Gilbert were liable and ready to repair it and they were amerced 6s. 8d.

Coram Rege Roll, Mich., 2 Richard II. rex 7.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons in le Portestret' apud Cors iacente (*sic*) inter terram domine le Despenser et terram Gilberti Tolly est defractus eo quod nullus ibidem transire possit: quem quidem pontem predicta domina le Despenser simul cum prefato Gilberto Tolly reparare tenetur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatam dominam ad respondendum etc.

Et modo scilicet die Mercurii proxima post festum sancti Luce Ewangeliste isto eodem termino coram domino rege apud Glouc' venit predicta domina per Alexandrum Domynyk attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare pontem predictum simul cum prefato Gilberto Tolly reparare non debeat: que quidem domina per attornatum suum predictum dicit quod ipsa tenet certa terras et tenementa in Staunton' iuxta Cors, pro quibus ipsa ut una tenencium eiusdem ville simul cum tota villata pro quantitate terrarum et tenementorum predictorum pontem predictum in communi reparare tenetur, absque hoc quod ipsa tenetur pontem illum sola cum prefato Gilberto reparare prout superius super ipsam presentatum est et hoc parata est verificare per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predicta domina tenetur pontem

predictum simul cum prefato Gilberto Tolly reparare sicut super ipsam presentatum est ; et hoc pro domino rege offert verificare etc. et predicta domina similiter. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicta domina le Despenser pro terris et tenementis suis que tenet in predicta villa de Staunton' tenetur in communi simul cum predicta villata et Gilberto Tolly pontem predictum reparare absque hoc quod ipsa tenetur sola cum prefato Gilberto pontem illum reparare prout superius presentatum est. Ideo preceptum est vicecomiti quod non omittat etc. quin venire faciat predictam villatam ad respondendum etc.

Postea scilicet die sabbati proxima post octabas sancti Martini isto eodem termino coram domino rege apud Glouc' venerunt homines villate predictae in propriis personis suis et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum simul cum prefato Gilberto Tolly et domina le Despenser ut una tenencium eiusdem ville reparare non debeant etc. ; qui dicunt quod non possunt dedicere quin ipsi pontem predictum simul cum prefato Gilberto Tolly et prefata domina ut una tenencium eiusdem ville de Staunton' reparare tenentur et quod pons predictus tempore presentacionis predictae defractus fuit sicut superius presentatum est et quod ipsi pontem predictum simul cum prefato Gilberto et domina parati sunt reparare cum etc. Ideo homines villate predictae pro non reparacione etc. in misericordia et afforatur per iusticiarios ad dimidiam marcam : et preceptum est vicecomiti quod non omittat etc. quin distringat homines villate predictae et prefatam dominam ut unam tenencium eiusdem ville per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod homines villate predictae et prefata domina ut una tenencium eiusdem ville pontem predictum simul cum prefato Gilberto Tolly ad plenum reparent tocies quociens necesse fuerit etc.

LXIV.

ROAD AND BRIDGE AT DEERHURST.

Presentment in Michaelmas term, 1378, before the king at Gloucester that the common road at Deerhurst called Fisherislake is ruinous by the default of the prior of Deerhurst and the abbot of Westminster to scour the ditches and that Deerhurst bridge, which the said prior and abbot ought to repair by reason of their tenure, is broken by default of the said prior.

Precept to the sheriff.

On Monday, 18 October, the said abbot and prior came as aforesaid by

their attorney and said that neither they nor their predecessors had ever been bound to clean the said ditches or to repair the said bridge. Thomas de Shardelowe, suitor for the king, said that they were so bound as was presented; and he and the said abbot and prior sought the verdict of the country. A jury came and said that the aforesaid prior was not bound to clean the said ditches or to make the said bridge but that the said abbot by reason of his lands and tenements in Deerhurst was bound to clean the said ditches and make the said bridge, and that all his predecessors in the tenure of the said lands had done so, and that from the time of the said presentment they were sufficiently cleaned and that the bridge had always been for foot passengers only and not for horses and carts. The said prior went without a day and the abbot was in mercy for not making the aforesaid bridge.

Coram Rege Roll, Mich., 2 Richard II. rex 8.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod communis via apud Durehurst vocata Fisserislake est ruinosa pro defectu obscuracionis fossatorum ibidem; quas quidem fossatas prior de Derehurst simul cum abbate Westmonasterii obscurare tenetur: item presentaverunt quod est quidam pons vocatus pons de Derhirst apud villam de Derhirst quem prior de Derhirst simul cum abbate Westmonasterii de iure ratione tenure sue in villa de Derhirst et a toto tempore facere solebant: disruptus est et confractus ad grave nocumentum omnium hominum ibidem transeuncium in defectu ipsius prioris.

Per quod preceptum fuit vicecomiti quod venire faceret prefatos abbatem et priorem ad respondendum.

Et modo scilicet die Lune proxima post quindenam sancti Michaelis isto eodem termino coram domino rege apud Glouc' venerunt predicti abbas et prior per attornatos suos et quesitum est ab eis separatim si quid pro se habeant vel dicere sciant quare fossata predicta mundare et pontem predictum reparare non debeant sicut super ipsos presentatum est: qui quidem abbas et prior per attornatos suos dicunt separatim quod ipsi fossata predicta mundare seu pontem predictum facere non tenentur nec aliqui predecessorum suorum abbates seu priores etc. fossata predicta mundarunt seu pontem predictum repararunt nec de iure mundare seu facere tenebantur et hoc parati sunt verificare per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predicti abbas et prior de Derherst fossata predicta mundare et pontem predictum de iure ratione tenure sue in villa de Derherst facere tenentur et a toto tempore facere solebant sicut super ipsos presentatum est: et hoc pro domino rege offert verificare etc. Et predictus abbas et prior similiter. Ideo fiat inde iurata etc. Iuratores

venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus prior non tenetur fossata predicta mundare nec pontem predictum facere sicut super ipsum presentatum est set dicunt quod predictus abbas Westmonasterii fossata predicta de iure tenetur mundare et pontem predictum facere tenetur et quod omnes predecessores sui tenentes terrarum et tenementorum que ipse tenet in predicta villa de Derherst fossata predicta mundare et pontem predictum a toto tempore facere solebant : et dicunt quod a tempore presentacionis predictæ fossata predicta bene et sufficienter mundata fuerunt et quod predictus pons a toto tempore erat pons pro peditibus et non pro equis nec caretis etc. Ideo consideratum est quod predictus prior eat inde sine die salvo semper iure regis etc. si quod etc. et predictus abbas in misericordia pro non faccione pontis predicti etc. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatum abbatem per omnes terras etc. ita quod securus sit quod dictus abbas pontem predictum in forma predicta ad plenum faciat tociens quociens necesse fuerit.

Rudder¹ mentions a bridge called Gildable bridge, so called by reason of certain tolls placed on it, which was repaired in part by Norton and in part by Deerhurst. There is also a bridge over the Severn called the Haw Bridge marked in the One-inch Ordnance Survey. In the absence of further evidence it is impossible to say whether these bridges are one and the same or whether either of them is the same as the bridge in this presentment : but it is hardly likely that the Severn would be spanned by a footbridge at this point.

LXV.

ROAD AND WATERCOURSE NEAR LITTLETON.

Presentments in Michaelmas term, 1378, before the king at Gloucester that the king's road called Litlameyer at Littleton is ruinous, which the abbot of Malmesbury ought to repair, and that the said abbot has stopped for the last ten years the watercourses of Elberton, Olveston, Aust, Ingst, Cote and Littleton, which used to run from the said towns to Luttuston (*sic*) Pull' at Boyston, so that the said water could not keep its course and flooded the adjoining country and the tenants of land there altogether lost their profit thereof.

Precept to the sheriff.

On the octave of Hilary, 1378-9, the said abbot came before the king at Westminster by Thomas de Billesdon, his attorney, and said that there was then and from old time a standing water from the fall of rain in the meadows and fields of the said towns every winter, for the discharge whereof

¹ P. 403.

there was then and from old time a trench wholly outside his own land, extending from the said water by two places called Holpol and by Pyngkenhamspull and Cakepill to the Severn, which is an arm of the sea, and that the said townships of Elberton, Olveston, Aust, Ingst and Cote ought to repair the said trench, and that no waters of the said townships ran to Lutteltonspul at Boyston, as was presented, until 20 Edward III., when one Nicholas Poyntz, lord of Elberton aforesaid, wrongfully made a trench in the abbot's ground at Boyston in the abbot's manor of Littleton and so caused the said waters to fall into an old trench towards Lutteltonspul, which he, the said abbot, and his predecessors had had there from time immemorial for the discharge of flood water in their own land : and he said that, seeing that the trench made by the said Nicholas was to the damage of him and his church, he lately stopped it and he sought judgment and said that the aforesaid trench in his own ground was the trench whereby the presentment supposed the waters should flow. Thomas de Shardelowe, suitor for the king, did not acknowledge that any trench had been made by the said Nicholas, as the abbot alleged, and said that long before 20 Edward III. there were three springs, one called Waremondswell in Elberton fields, another called Ludgareswell in the lordship of Thornbury, and a third called Boleswell in Elberton, the waters whereof ran to Elberton and thence by divers rivulets to Medewaynzat and thence to Mersshacre and thence to Boyston and thence by the trench which the said abbot alleges to be only for the discharge of his own flood water to the Severn, and that all the waters flooding the lands of the said townships from whatever cause arising ran to the Severn by the said rivulets and trench, until the said abbot and his predecessors stopped the said trench, as was presented : and he and the said abbot sought the verdict of the country. The said abbot put in his place Thomas Crowe or Richard Punford or William Gamme or Hugh Hemyngton.

After postponements and upon a writ of *nisi prius*, on the quinzaine of Easter, 1335, the said abbot came by his said attorney before the king at Westminster, and Robert Bealknap sent the verdict of a jury taken before the said Robert and Robert Charlton on Wednesday, 8 March, at Gloucester, when the said abbot came by Hugh de Hemyngton, his attorney, and William Rikhill came for the king, and the jurors came and said that there was of old a standing water every winter in the lands of the townships aforesaid, as the abbot alleged, for the discharge of which there was a trench, as he alleged, running to the Severn, which ought to be repaired by the townships named by the abbot, and that no waters whatever ran to Boyston by the abbot's trench until 20 Edward III. The abbot therefore went without a day.

Coram Rege Roll, Mich., 2 Richard II. rex 8.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod est quedam regia via que vocatur Litlameyer apud Littilton'

que est ruinosa ad grave nocumentum patrie quam quidem viam abbas de Malmesbury reparare tenetur: item presentaverunt quod idem abbas obstupavit cursum aquarum de Aylbryghton' Olveston' Auste Inste Cotes et Luttelton' per decem annos ultimo elapsos, que solebat (*sic*) tenere cursum suum a villis predictis usque Luttuston' Pull' apud Boyston', ita quod aque predictae non possunt tenere cursum suum set superundant patriam adiacentem et contiguam: per quas aquas diverse villate adiacentes proficuum terrarum suarum et pratorum ibidem totaliter amiserunt ad grave nocumentum etc.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret predictum abbatem ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem anno coram domino rege apud Westmonasterium venit predictus abbas per Thomam de Billesdon' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare viam predictam reparare et cursum aque predictum ad custus suos proprios [de]obstupare non debeat: qui quidem abbas quo ad cursum aque predictum dicit quod est et fuit ab antiquo quedam aqua stans ex pluvia superveniente in pratis et campis villatarum predictarum tempore iemali quolibet anno, pro deliberacione cuius aque est et fuit ab antiquo quedam trenchea omnino extra solum ipsius abbatis extendens ab eisdem aquis usque ad quendam locum vocatum Holpol et ab eodem loco usque alium locum vocatum Holpol (*sic*) et ab hinc usque alium locum vocatum Pyngkenhamespul et ab hinc usque alium locum vocatum Cakepul et ab hinc usque Sevarne, quod est brachium maris: quam quidem trenchiam predictae villate de Aylbryghton' Olveston' Auste Inste et Cotes mundare tenentur absque hoc quod aliquae aquae villatarum predictarum solebant tenere cursum suum de villis predictis usque Lutteltonespul apud Boyston' sicut per presentationem predictam supponitur usque annum vicesimum domini regis Edward avi domini regis nunc, citra quod tempus quidam Nicholaus Poyntz dominus de Ailbryghton' predicta de iniuria sua propria fecit quandam trencheam in solo predicti abbatis apud predictum locum vocatum Boyston' in manerio ipsius abbatis de Luttelton' et fecit easdem aquas villatarum predictarum descendere in quandam antiquam trenchiam ipsius abbatis usque Lutteltonespul, quam trenchiam idem abbas et omnes predecessores sui a tempore quo non extat memoria habuerunt ibidem in solo suo proprio pro deliberacione aquarum terras suas ibidem superinundancium tantum; quamquidem trenchiam per dictum Nicholaum sic factum idem abbas percipiens in dampnum suum et exheredacionem ecclesie sue factam recenter obstupavit: et petit iudicium si erga dominum regem ea

occasione impetiri debet etc. et dicit quod eadem trenchia in solo ipsius abbatis, ut predictur, est idem locus ubi per dictam presentacionem supponitur dictas aquas cursum suum tenere debere.

Et Thomas de Shardelowe qui sequitur pro domino rege protestando quod non cognoscit quod aliqua trenchia facta fuit ibidem per predictum Nicholaum Poyntz prout predictus abbas superius implacitando allegavit dicit quod diu ante predictum annum vicesimum erant et adhuc sunt tres fontes quorum unus vocatur Waremondeswell' infra campos ville de Aylberton' et alius pons (*sic*) vocatus Ludgareswell' infra dominium de Thornbury et tercius pons vocatus Bolleswell' infra predictam villam de Aylberton', de quibus fontibus aque emergentes solebant tenere cursum suum usque ad predictam villam de Aylberton' et abhinc per diversos rivulos usque ad quendam locum vocatum Medewaynzat et abhinc ad quendam locum vocatum Mersshaer' et abhinc ad predictum locum de Boyston' et sic tenere cursum suum per predictam trenchiam quam predictus abbas clamat tantum ad deliberacionem aquarum terras predicti abbatis inundancium usque ad Sabrinam; dicunt (*sic*) eciam pro domino rege quod aque provenientes et superinundantes terras et prata villatarum predictarum tam aque que ex cretina aut pluvia sive quocumque modo emergerunt per eosdem rivulos et per eandem trenchiam solebant tenere cursum suum usque ad Sabrinam ad deliberacionem aquarum superinundancium patriam adiacentem quousque idem cursus per predecessores ipsius nunc abbatis et eciam per predictum nunc abbatem obstupatus fuit prout per predictam presentacionem superius supponitur; et hoc pro domino rege offert verificare etc. Et predictus abbas dicit quod predictae aque non solebant tenere cursum suum a villis predictis usque Litteston' Palle apud Boyston' per trenchiam predictam usque Sabrinam prout idem Thomas superius pro domino rege allegavit et hoc paratus est verificare etc. Et predictus Thomas qui sequitur etc. similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc. Et super hoc predictus abbas ponit loco suo Thomam Crowe vel Ricardum Punford' vel Willelmum Gamme vel Hugonem Hemyngton' versus dominum regem in placito predicto.

Postea continuato inde processu versus prefatum abbatem per iuratas positas in respectum coram domino rege usque in octabas sancti Hillarii anno regni regis nunc octavo, ad quem diem coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino

rege virtute brevis ipsius regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque a die Pasche in xv dies ubicunque etc. nisi dilectus et fidelis domini regis Robertus Bealknap' capitalis iusticiarius ipsius regis de Communi Banco prius die Mercurii in quarta septimana Quadragesime apud Glouc' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum etc. vel coram prefato iusticiario ad prefatos diem et locum si etc. Idem dies datus est prefato abbati etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum predictum et Robertus Bealknap coram quo etc. misit recordum veredicti iurate predictae coram eo habite in hec verba : Postea die et loco infracontentis coram Roberto Bealknap infranominato associato sibi Roberto Charlton' per formam statuti etc. venit abbas de Malmesbury infranominatus per Hugonem de Hemyngton' attornatum suum et quidam Willelmus Rikhill' pro domino rege venit et similiter iuratores venerunt et, proclamacione facta pro domino rege si aliquis sit qui informare velit iuratores predictos veniat et audietur etc., iidem iuratores ad hoc electi triati et iurati dicunt super sacramentum suum quod est et ab antiquo fuit quedam aqua stans ex pluvia superveniente in pratis et campis villatarum de Aylbryghton' Olveston' Auste Inste Cotes et Littelton' tempore iemali quolibet anno, pro deliberacione cuius aque est et ab antiquo fuit quedam trenchea omnino extra solum ipsius abbatis extendens ab aquis villatarum predictarum usque ad quendam locum vocatum Holpol' et ab eodem loco usque alium locum vocatum Holpol' et abhinc usque alium locum vocatum Pynkenhamspull' et abhinc usque alium locum vocatum Cakepulle et abhinc usque Sevarne que est brachium maris: quam quidem trencheam predictae villate de Aylbryghton' Olveston' Auste Inste et Cotes mundare tenentur sicut predictus abbas infra placitando allegavit: et dicunt quod aque de Aylbryghton' Olveston' Auste Inste Cotes et Littelton' nec aque emergentes de fontibus infraspecificatis nec alique alie aque provenientes aut superinundantes terras et prata villatarum predictarum ex cretina aut pluvia aut quocumque modo emergentes ante annum vicesimum regni regis Edwardi avi domini regis nunc non solebant tenere cursum suum usque ad predictum locum de Boyston' infracontentum nec apud Boyston' usque Sabrinam neque usque Lyteltonespull' neque per trenchiam quam predictus abbas clamat tantum ad liberacionem aquarum terras ipsius abbatis inundancium usque Sabrinam sicut per presentacionem et allegacionem Thome Shardelowe qui pro domino

rege sequitur infracontentam supponitur. Per quod viso recordo predicto necnon veredicto iurate predictae consideratum est quod predictus abbas eat inde sine die salvo semper iure domini regis si quod etc.

Few of the smaller place names can be traced in the One-inch Ordnance Survey : but Cakepill has survived and it appears from the position of that place that the trench alleged by the abbot to exist is the Old Splott Rhine and that the other trench ran northwards into the Severn at Littleton Warth.

LXVI.

BRIDGES AT NORTON.

1. Presentment in Michaelmas term, 1378, before the king at Gloucester that bridges called Stonbrigge, Nortonbrigge and Stendebrigge at Norton are broken by default of Thomas Duyk, prior of St. Oswald, Gloucester, the last having been broken for three years past.

Precept to the sheriff.

On Wednesday, 3 November, the said prior came as aforesaid by John de Sadyngton, his attorney, and said that the three bridges named are one and the same, namely Nortonbrigge, and that neither he nor any of his predecessors were bound to repair it. Thomas de Shardelowe, suitor for the king, said that the bridges were three in number and different from one another, and that the aforesaid Thomas Duyk was bound to repair them by reason of his lands in Norton : and he and the said prior sought the verdict of the country. A jury came and said that the three bridges were only one, namely Nortonbrigge, and that the said prior was only bound to repair it as one of the tenants of land in Norton in proportion to his tenure there and that the said township ought to repair it. Therefore the said abbot went without a day.

Upon a precept to the sheriff in the quinzaine of Easter, 1381, the men of the said township came before the king at Westminster and said they were not bound to repair the said bridge or any part of it. Thomas de Shardelowe, suitor for the king, said that they together with the said prior were so bound : and he and the said men sought an inquest by the country. A jury was summoned for the octave of Trinity.

2. Presentment (as above) that Wainload bridge between Apperley and Norton is broken on the south side by default of the archbishop of York.

Precept to the sheriff.

On the quinzaine of Easter, 1379, the said archbishop came before the king at Westminster by John de Sadyngton, his attorney, and said that neither he nor his predecessors ever made or were bound to make the said bridge. Thomas de Shardelowe, suitor for the king, said that he was bound to repair it : and he and the archbishop sought the verdict of the country. A jury was summoned for the octave of Trinity.

1. Coram Rege Roll, Mich., 2 Richard II. rex 8.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons vocatus Stentesbrugge apud Norton' est defractus et ruinosus ad nocumentum tocius populi ibidem transeuntis ob defectum prioris Sancti Oswaldi de Glouc' quem quidem pontem predictus prior reparare et emendare tenetur. Item presentaverunt quod est quidam pons vocatus Nortonebrugge qui est defractus et delaceratus et est regia via: quem quidem pontem prior sancti Oswaldi Glouc' tenetur reparare et emendare et non est reparatus ad grave nocumentum populi ibidem transeuntis ¹ . . . Item presentaverunt quod frater Thomas Duk prior Sancti Oswaldi Glouc' tenetur reparare unum pontem apud Norton' vocatum Stendebriigge pro certis terris et tenementis que tenet in Norton' et non facit; qui quidem pons extitit confractus per tres annos elapsos ad grave nocumentum populi.

Per quod preceptum fuit vicecomiti quod venire faceret prefatum priorem ad respondendum etc.

Et modo scilicet die Mercurii proxima post crastinum Animarum isto eodem termino coram domino rege apud Glouc' venit predictus prior per Iohannem de Sadyngton' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat ¹ . . . quare pontes predictos reparare et emendare non debeat sicut super ipsum presentatum est: qui quidem prior per predictum attornatum suum ¹ . . . quo ad hoc quod superius presentatum est quod pons vocatus Stonbrugge apud Norton' est defractus et ruinosus ad nocumentum etc. et quod pons vocatus Nortonbrugge est defractus et ruinosus etc. ob defectum prioris sancti Oswaldi Glouc' et eciam quod ubi superius presentatum est quod frater Thomas Duk' prior de Sancto Oswaldo Glouc' tenetur reparare unum pontem apud Norton' vocatum Stendebriigge' pro certis terris et tenementis in Norton' etc., dictus prior qui nunc est dicit quod ille pons vocatus Stondebrugge et ille pons vocatus Stonebrugg' sunt unus et idem pons qui in dicta presentacione vocatur Nortonbrugge et dicit ulterius quod ipse non tenetur pontes illos reparare nec sustentare prout superius super ipsum presentatum est nec quod ipse nec aliquis predecessorum suorum priorum loci predicti dictos pontes reparaverunt seu emendarunt et hoc paratus est verificare per patriam etc. Et Thomas de Shardelowe qui pro nobis (*sic*) sequitur dicit quod ¹ . . . predictus pons vocatus Stondebriggge et pons vocatus Stonebriggge sunt alii pontes quam ille pons in dicta presentacione vocatus

¹ Here follow presentments etc. of violations of the statute *De religiosis*.

Nortonbrugge et quod predictus frater Thomas Duk prior de Sancto Oswaldo predictos pontes pro certis terris et tenementis que ipse tenet in predicta villa de Norton' tenetur reparare prout superius presentatum est: et hoc similiter pro domino rege offert verificare etc. Et predictus nunc prior similiter etc. Ideo fiat inde iurata etc.

Iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod¹ . . . ille pons vocatus Stondebrugg' et ille pons vocatus Stonebrugge sunt unus et idem pons qui in dicta presentacione vocatur Nortonbrugg' et dicunt quod idem prior pontem illum de iure reparare non tenetur nisi ut unus tenencium villate de Norton' pro quantitate terrarum et tenementorum suorum in eadem villa: que quidem villata pontem illum de iure reparare tenetur. Ideo idem prior¹ . . . eat inde sine die salvo semper iure domini regis etc. Et preceptum est vicecomiti quod venire faciat villatam predictam ad respondendum etc.

Postea scilicet a die Pasche in xv dies anno regni regis nunc quarto coram domino rege apud Westmonasterium venerunt homines villate de Norton' per Iohannem de Sadington' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum simul cum prefato priore facere et reparare non debeant etc.; et predicti homines villate predictae dicunt quod ipsi pontem predictum facere et reparare non tenentur nec aliquam parcellam eiusdem nec ipsi nec antecessores sui tenentes terrarum et tenementorum que ipsi tenent pontem predictum reparaverunt seu aliquam parcellam eiusdem et de hoc ponunt se super patriam etc. Et Thomas de Shardelowe qui sequitur etc. dicit quod ipsi pontem predictum simul cum predicto priore facere et reparare tenentur sicut super ipsos presentatum est et hoc pro domino rege petit quod inquiratur per patriam et predicti homines similiter. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc.

2. Coram Rege Roll, Mich., 2 Richard II. rex 10.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons vocatus Weynnodebrugg' iacens inter villam de Appurle et Norton' est defractus ex parte australi, quem quidem pontem episcopus Eboracensis tenetur reparare, et non est reparatus ad grave nocumentum tocuis populi ibidem transeuntis.

¹ Here follow presentments etc. of violations of the statute *De religiosis*.

Per quod preceptum est vicecomiti quod venire faciat predictum episcopum ad respondendum.

Postea scilicet a die Pasche in xv dies tunc proximo sequentis coram domino rege apud Westmonasterium venit predictus archiepiscopus per Iohannem de Sadyngton' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare non debeat sicut super ipsum presentatum est: qui dicit quod ipse pontem predictum non tenetur reparare sicut superius super ipsum presentatum est nec quod ipse seu aliquis predecessorum suorum archiepiscoporum loci predicti pontem illum aliquo tempore fecerunt aut facere tenebantur: et hoc paratus est verificare etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predictus archiepiscopus pontem predictum tenetur reparare prout superius super ipsum presentatum est: et hoc pro domino rege offert verificare etc. Et predictus archiepiscopus similiter. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc.

No bridge in Norton is marked in the One-inch Ordnance Survey: but the two bridges may be localised as being respectively in the parts of the parish now known as Prior's Norton and Bishop's Norton. Rudder¹ refers to Wainload Hill as stretching along the river in this and other parishes.

LXVII.

BRIDGE AND ROADS NEAR TITHERINGTON.

1. Presentment in Michaelmas term, 1378, before the king at Gloucester that William Clynton, knight, holds the manor of Titherington and ought to repair a causey from Stidcot to Stidcot Bridge, which has for six years been broken.

Precept to the sheriff.

On Friday, 12 November, the said William came as aforesaid by Thomas de Billesdon, his attorney, and acknowledged his liability to repair the said causey, which was broken at the time of the presentment and said that he was ready to do so; and he was amerced 6s. 8d.

2. Presentments [*temp.* Ric. II.] by jurors of Thornbury hundred that Stidcot bridge is broken and that John de la Ware, knight, and Andrew de Awton, knight, ought to repair it: that the king's road to the north of the said bridge in Cromhall going to Sutecotesgrene is broken and that the said Andrew ought to repair it: that the king's road to the east of the said bridge in Wickwar is broken and that the said John ought to repair it as far as Wykes-hethe: that the king's road to the west of the said bridge in Titherington is

¹ P. 382.

broken and that Ralph Whythors, knight, ought to repair it as far as Sutecotesgrene.

1. *Coram Rege Roll, Mich., 2 Richard II. rex 11d.*

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod Willelmus Clynton' chivaler tenet manerium de Tuderyngton' pro quo tenetur reparare unum calcetum quod ducit a villa de Stuteote usque Stutecotebrigge: quod quidem calcetum est confractum et fuit per sex annos elapsos ad grave nocumentum populi.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo scilicet die Veneris in crastino sancti Martini isto eodem termino coram domino rege apud Glouc' venit predictus Willelmus per Thomam de Billesdon' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare calcetum predictum reparare non debeat sicut super ipsum superius presentatum est: qui dicit quod non potest ~~dedicere~~ quin ipse calcetum predictum reparare tenetur prout superius super ipsum presentatum est nec quod calcetum predictum tempore presentacionis predictae confractum fuit prout superius presentatum est et dicit quod ipse paratus est calcetum predictum reparare cum necesse fuerit etc. Ideo ipse Willelmus Clynton' in misericordia pro non reparacione etc. et afforatur per iusticiarios etc. ad dimidiam marcam. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatum Willelmum per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predictus Willelmus reparet calcetum predictum quociens necesse fuerit etc.

2. *Ancient Indictments File 32 m. 2.*

Hundredum de Thornbury.

Iuratores presentant quod pons que (*sic*) vocatur Stitecotesbrigge dirrutus est et confractus et quod Iohannes de la Ware¹ chivaler et Andreas de Awton' chivaler et antecessores sui illum tenentur reparare et emendare et non emendarunt ad nocumentum tocius patrie.

Item presentant quod via regia ex parte boriali dicte pontis in Croomhale est confracta a predicto ponte usque ad quendam locum vocatum Sutecotesgrene et quod predictus Andreas et antecessores sui illam tenentur reparare et emendare et non emendarunt ad nocumentum predictae patrie.

Item presentant quod via regia ex parte orientali pontis predictae

¹ Above this name is written *cognovit dimidia marca.*

in Wykeware confracta est et dirruta et quod Iohannes de la Ware¹ chivaler et antecessores sui illam tenentur reparare et emendare a predicta ponte usque ad quendam locum vocatum Wykeshethe et non repararunt ad nocumentum predictæ patrie.

Item presentant quod via regia ex parte occidentali eiusdem pontis in Tittringon' confracta est et quod Radulphus Whythors chivaler et antecessores sui illam tenentur reparare et emendare a predicta (sic) ponte ex parte occidentali usque ad quendam locum vocatum Sutecotesgrene et non reparaverunt ad nocumentum tocius patrie.

LXVIII.

ROAD AND BRIDGE NEAR ELMSTONE HARDWICK.

1. Presentment in Michaelmas term, 1378, before the king at Gloucester that the king's road called Loudylowe at Stoke Orchard is flooded by default of the men of the said township to clean the ditches thereof.

Precept to the sheriff.

On Saturday, 6 November, the men of the said township came as aforesaid by Thomas de Billesdon, their attorney, and said that the said road lay between the lordship of the prior of Deerhurst and the said township and that all their ditches were sufficiently clean and that, if the said road was flooded, it was by default of the tenants of the said prior in Uckington and not by their default. Thomas de Shardelowe, suitor for the king, said that the aforesaid road was flooded by default of the men of Stoke Orchard to clean the ditches thereof: and he and the said men sought the verdict of the country. A jury was summoned for the octave of Hilary.

2. Presentment in Michaelmas term, 1387, before the king at Gloucester that a bridge called Loudelowsbrigge in the hundreds of Deerhurst and Westminster is broken by default of the townships of Uckington and Elmstone Hardwick.

Precept to the sheriff.

On Wednesday, 6 November, the said township of Elmstone Hardwick came as aforesaid by Stephen del Fall, their attorney, and said that the aforesaid bridge and the place where it was situated were in Cleeve hundred and not in the hundred of Deerhurst and Westminster and that there was a ford there until forty years ago, when John Walsale of Evesham of his alms built the aforesaid bridge without any liability of the said township to repair it, and that there was another bridge near by, also called Lodelowebrigge and within the said hundred of Cleeve, which had stood there of old and which was repairable by the township of Cleeve. Edmund Brudenell, suitor for the king, said that in no point was it as the township of Elmstone Hardwick alleged but that the said township together with the township of Uckington

¹ Above this name is written *cognovit*.

were bound to repair Lodelowebyrg in the hundred of Deerhurst and Westminster, which was broken as was presented: and he and the said township sought the verdict of the country.

1. Coram Rege Roll, Mich., 2 Richard II. rex 17.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod est quedam regia via que vocatur Lowdylowe apud Stoke Archer que est dimersa et ruinoso ob defectum mundacionis fossatarum: quas quidem fossatas et viam homines villate de Stoke Archer mundare et emendare tenentur.

Per quod preceptum fuit vicecomiti quod venire faceret homines villate predictae ad respondendum etc.

Et modo scilicet die sabbati proxima post crastinum Animarum isto eodem termino coram domino rege apud Glouc' venerunt homines predictae villate per Thomam de Billesdon' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare fossatas predictas mundare et emendare non debeant sicut superius super ipsos presentatum est; dicunt quod predicta via iacet inter dominium prioris de Derhurst et predictam villatam de Stoke Archer et quod omnes fossate hominum villate de Stoke Archer sunt bene et sufficienter mundate et, si predicta via dimersa et ruinoso existat, hoc est ob defectum mundacionis fossatarum tenencium prioris de Derhurst in Okynton' absque hoc quod predicta via est dimersa vel ruinoso ob defectum mundacionis fossatarum hominum villate de Stoke Archer et hoc pretendunt verificare per patriam etc.

Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod regia via predicta est dimersa et ruinoso ob defectum mundacionis fossatarum hominum villate de Stoke Archer predictae sicut super ipsos presentatum est et hoc pro domino rege offert verificare etc. Et homines villate predictae similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Hillarii ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefatis hominibus.

2. Coram Rege Roll, Mich., 11 Richard II. rex 16.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentant quod est quedam (*sic*) pons vocatus Loudelowsbrigge infra hundredum de Durhirst et Westmenstr' defractus ad grave nocumentum patrie ob defectum villatarum de Okynton' et Herdewyk': que quidem villate predictum pontem reparare tenentur.

Per quod preceptum fuit vicecomiti quod non omittat etc. quin venire faciat prefatas villatas ad respondendum etc.

Et modo scilicet die Veneris proxima post festum Omnium Sanctorum isto eodem termino coram domino rege apud Glouc' venit predicta villata de Herdewyk' per Stephanum del Fall' attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare pontem predictum simul cum villata de Okynton' reparare non debeat: qui dicit quod ubi per presentacionem predictam supponitur quod quidam pons vocatus Loudelowsbrigge infra hundredum de Durhurst et Westm' defractus est ad grave nocumentum patrie ob defectum villatarum de Okynton' et Herdewyk', que quidem ville pontem illum reparare teneantur, set eadem villata de Herdewyk per attornatum suum predictum dicit quod† pons predictus et locus ubi idem pons situatur est infra hundredum de Clyve¹ et non infra hundredum de Durhurst et Westm' et dicit quod locus ubi pons ille modo construitur fuit semper ab antiquo quoddam vadum usque infra quadraginta annos proximo elapsos quousque Iohannes Walsale de Evesham ex elemosina sua pontem predictum de novo fecit absque hoc quod predicta villata de Herdewyk' pontem predictum simul etc. reparare tenetur et dicit ulterius quod est quidam alius pons iuxta predictum pontem qui similiter vocatur Lodelowbrige qui est infra hundredum de Clyve similiter, qui ab antiquo pons ibidem extitit, quem quidem pontem villata de Clyve semper fecit et reparavit et de iure reparare tenetur absque hoc quod predicta villata de Herdewyk unum pontem vel alium tenetur reparare prout per presentacionem predictam supponitur et hoc paratus est verificare per patriam et petit iudicium etc. Et Edmundus Brudenell' qui pro domino rege sequitur dicit quod non cognoscit quod pons predictus nec locus ubi idem pons situatur est infra hundredum de Clyve nec quod locus ubi pons ille modo construitur fuit semper ab antiquo quoddam vadum usque infra quadraginta annos proximo elapsos quousque Iohannes Walsale de Evesham ex elemosina sua pontem predictum de novo fecit nec quod est quidam alius pons iuxta predictum pontem qui similiter vocatur Lodelowbrygg qui est infra hundredum de Clyve similiter, qui ab antiquo pons ibidem extitit, quem quidem pontem villata de Clyve semper fecit et reparavit et de iure reparare tenetur prout predicta villata de Herdewyke placitando allegavit set dicit quod est quidam pons vocatus Lodelowebryg infra hundredum de Durhurst et Westmynstr', defractus est ad grave nocumentum patrie ob defectum villatarum de Okynton' et Herdewyke et quod predicta villata de Herdewyke tenetur simul cum predicta villata de

¹ The *Ancient Indictment* gives Cleeve as the presenting hundred.

Okynton' pontem ibidem reparare prout per presentacionem predictam supponitur et hoc paratus est pro domino rege verificare : et predicta villata de Herdewyke similiter. Ideo,¹ . . .

LXIX.

BRIDGE NEAR TORTWORTH.

Presentment in Michaelmas term, 1378, before the king at Gloucester that Thomas de Berkele and Peter le Veel, knight, are jointly bound by reason of their respective manors of Berkeley and Tortworth to repair Syndleforth bridge between Tortworth and Stone, which has been for one year totally broken.

Precept to the sheriff.

On Wednesday, 27 October, the said Thomas and Peter came (as above) and acknowledged their joint liability and were amerced ten shillings.

Coram Rege Roll, Mich., 2 Richard II. rex 17.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod Thomas de Berkele tenet manerium de Berkele cum pertinenciis et Petrus le Veel chivaler dominus de Torteworth' tenet manerium de Torteworth', pro quibus ipsi tenentur coniunctim reparare quendam pontem vocatum Syndelforthe inter villas de Torteworth' et Stone: qui quidem pons totaliter est confractus et confractus extitit per annum elapsum ad grave nocumentum pretereuncium.

Per quod preceptum fuit vicecomiti quod venire faceret eos ad respondendum etc.

Et modo scilicet die Veneris proxima post mensem sancti Michaelis isto eodem termino coram domino rege apud Glouc' venerunt predicti Thomas et Petrus videlicet predictus Thomas per Thomam de Bulcote attornatum suum et predictus Petrus in propria persona sua et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum coniunctim reparare non debeant sicut super ipsos presentatum est : qui quidem Thomas et Petrus non possunt dedecere quin pons predictus tempore presentacionis predictae confractus fuit et quod ipsi tenentur coniunctim pontem predictum reparare cum necesse fuerit prout superius presentatum est. Ideo iidem Thomas de Berkele et

¹ On *rex* 19 in the same roll are enrolled the pleadings of the township of Uckington, which are identical with these *mutatis mutandis* but do not contain the answer of the king's suitor.

Petrus in misericordia pro non reparacione etc. et afforantur per iusticiarios ad decem solidos. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatos Thomam de Berkele et Petrum per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predicti Thomas de Berkele et Petrus pontem predictum ad plenum coniunctim reparent tociens quociens necesse fuerit etc.

LXX.

BRIDGE NEAR FRAMPTON ON SEVERN.

1. Presentment in Michaelmas term, 1378, before the king at Gloucester that John Chidyok, knight, lord of Frampton on Severn, and the men of that township are bound to repair Froombridge bridge between Frampton, Eastington and Whitenhurst, which is broken.

Precept to the sheriff.

2. Presentment [11 Ric. II.] by jurors of Gloucester that the bridges called Frombriggs in Frampton are broken and dangerous in winter and that the duke of Gloucester, the earl of Stafford and John Clifford of Frampton are bound to repair them by reason of their several lands near the said bridges.

1. Coram Rege Roll, Mich., 2 Richard II. rex 17d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod Iohannes Chidyok chivaler dominus de Frompton super Sabrinam et homines villate de Frompton' tenentur reparare pontem de Frompbrigg' iacentem inter Frompton' super Sabrinam Estynton' et Whitenerst qui ruinosus est et confractus.

Per quod preceptum fuit vicecomiti quod venire faceret eos etc.

2. Ancient Indictments File 32 m. 24.

Iuratores presentant . . . quod in dominio de Frompton' sunt dui (*sic*) pontes qui vocantur Frombriggs, qui quidem pontes dirruti sunt et confracti ita quod nullus tempore yemali ibidem transire potest sine periculo mortis: quos quidem pontes dux Glouc', comes Stafford' et Iohannes Clifford de Frompton' pro certis terris quas ipsi separatim prope pontem predictum tenent de iure reparare facere et manutenere tenentur tociens quociens necesse fuerit, et non sunt reparati ad nocumentum tocius populi ibidem transeuncium.

LXXI.

DITCH, BRIDGE AND ROADS IN FRAMPTON COTERELL.

1. Presentment in Michaelmas term, 1378, before the king at Gloucester that John Hydon by reason of his lordship of a moiety of Frampton [Coterell] is bound to clean a ditch between Sopmylne and le Werehous and that by his default therein the meadows of the township of Iron Acton are often flooded and wasted to the damage of the said township of 40s.

Precept to the sheriff.

2. Presentments [in Michaelmas term, 1387] by jurors of Thornbury hundred that a bridge called Hungersbrigge in the parish of Frampton Coterell is broken by default of Thomas West knight: that the high road between the said bridge and the bridge called Copmuellesbrigge is broken by default of the said Thomas: and that the high road in Frampton Heath in the said parish has been trenched by divers unknown men through the maintenance and precept of the said Thomas.

Precept to the sheriff.

On Friday, 14 May 1389, the said Thomas came before the king at Westminster and said that as to the aforesaid bridge he was not bound to repair it and neither he nor his ancestors had ever repaired it: as to the road between the two said bridges, he said that he and Joan his wife held a third of two-thirds of the manor of Frampton for the term of the said Joan's life in dower of the lands of Ralph de Welyngton formerly her husband and that the said two-thirds were in the hands of the king by reason of the minority of John, brother and heir of the said Ralph, and that Peter Veel, knight, held a third part of the said manor, and he said he was bound to repair the said road with the said John and Peter but was not bound alone, as was presented: and as to the road said to have been trenched by his maintenance he said that he was in no way guilty thereof. Edmund Brudenell, suitor for the king, said that he was bound to repair the said bridge and road and that the road in Frampton Heath was trenched through his maintenance: and he and the said Thomas sought the verdict of the country. A day was given on the octaves of Michaelmas.

1. *Coram Rege* Roll, Mich., 2 Richard II. rex 20d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod Iohannes Hydon' dominus medietatis ville de Framton' racione domini sui ibidem tenetur mundare unum fossatum inter Sopmylne et le Werehous et non facit, per quod prata villate de Irenaeton' sepius inundantur et consumuntur ad grave dampnum villate predictae quadraginta solidorum.

Per quod preceptum fuit vicecomiti quod venire faceret eum ad respondendum etc.

2. Ancient Indictments File 32 m. 2.

Hundredum de Thornbury.

Iuratores presentant . . . quod pons que (*sic*) vocatur Hungresbrigge in parochia de Fromton Cotell' dirruta est et confracta et quod Thomas West chivaler et antecessores sui illam tenentur reparare et emendare et non repararunt ad nocumentum predictae patrie.

Item presentant quod alta via que iacet inter pontem que vocatur Hungresbrigge et pontem que vocatur Copmulllesbrigge in parochia de Frompton' Cotell' dirruta est et confracta et quod Thomas West chivaler et antecessores sui illam tenentur reparare et non repararunt ad grave nocumentum tocus patrie.

Item presentant quod alta via in Frampton' Hethe in parochia de Frampton' est fossata de diversis hominibus ignotis per manutenenciam et preceptum Thome West chivaler ad nocumentum tocus patrie etc.

Coram Rege Roll, Easter, 12 Richard II. rex 15d.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad respondendum etc.

Et modo scilicet die Veneris proxima post mensem Pasche isto eodem termino coram domino rege apud Westmonasterium venit predictus Thomas in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem et viam predictas reparare et emendare non debeat et qualiter de manutenencia et precepto predictis se velit acquietare: dicit quod quo ad hoc quod presentatum est quod pons vocatus Hungresbrugge in parochia de Frompton' Cotell' dirutus est et confractus et quod Thomas West chivaler et antecessores sui illum tenentur reparare etc. idem Thomas dicit quod ipse non tenetur reparare pontem predictum prout super ipsum superius presentatum est nec quod ipse seu antecessores sui unquam pontem predictum reparaverunt seu reparare consueverunt et hoc paratus est verificare per patriam: et quo ad hoc quod presentatum est quod alta via que iacet inter pontem qui vocatur Hungresbrugge et pontem qui vocatur Copimullesbregge diruta est et confracta et quod predictus Thomas et antecessores sui illam tenentur reparare et non reparaverunt ad nocumentum tocus patrie idem Thomas dicit quod ipse et Iohanna uxor eius sunt tenentes terciæ partis duarum parcium manerii de Frompton' ad terminum vite predictæ Iohanne ut de dote eiusdem Iohanne ex dotacione Radulfi de Welyngton' quondam viri sui et quod predictæ due partes manerii sunt in manus

(sic) domini regis nunc racione minoris etatis Iohannis fratris et heredis predicti Radulfi qui de eodem domino rege die quo obiit tenuit in capite et quod Petrus Veel chivaler tenet terciam partem eiusdem manerii et quod idem Thomas simul cum prefatis Iohanne et Petro tenetur viam predictam reparare absque hoc quod ipse solus viam predictam tenetur reparare prout super ipsum superius presentatum est et hoc similiter paratus est verificare etc.: et quo ad hoc quod presentatum est quod alta via in Fromptonheth' est fossata de diversis hominibus per manutenenciam et preceptum predicti Thome idem Thomas dicit quod ipse inde in nullo est culpabilis et de hoc ponit se super patriam. Et Edmundus Brudenell' qui sequitur etc. dicit quod predictus Thomas tenetur reparare et emendare pontem predictum vocatum Hungresbrigge ac predictam viam inter predictos pontes et quod predicta alta via in Fromptonheth' est fossata de diversis hominibus ignotis per manutenenciam et preceptum dicti Thome prout super ipsum superius presentatum est et hoc pro domino rege offert verificare. Et predictus Thomas similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Michaelis ubicumque etc. et qui etc. ad recognoscendum etc. Ideo dies datus est prefato Thome etc.

LXXII.

BRIDGE NEAR MORETON VALENCE.

Presentment [11 Ric. II.] by jurors of Berkeley hundred that a bridge called Valansbrigge is broken and that Richard Talbot ought to repair it.

Ancient Indictments File 32 m. 5.

Hundredum de Berkeleye.

Iuratores presentant . . . quod pons vocata Valansbrigge est confracta et dirupta ad nocumentum tocius patrie ibidem transeuncium et quod Ricardus Talbot chivaler pontem predictum reparare et emendare tenetur.¹

This bridge can only be localised by the devolution of the manors of Painswick, Moreton Valence and Whaddon from Valence to Talbot.² All three lie close together and as Moreton Valence is well watered it is perhaps the most likely of the three.

¹ The proceedings in the King's Bench are enrolled on *Coram Rege Roll*, Mich. 11 Richard II. rex 21 d. Talbot acknowledged liability and stated that the bridge was now in good repair. He was amerced 3s. 4d. for his past omission to repair the bridge.

² Rudder, pp. 558, 595, 813.

LXXIII.

BRIDGE AT NEWENT.

Presentment [11 Ric. II.] by jurors of Gloucester that the bridge called Lydenfordbrigge in the parish of Newent is broken and dangerous in winter and that the abbot of Gloucester and John Deweros knight, lord of Newent, are jointly bound to repair it.

Ancient Indictments File 32 m. 24.

Glouc'. Magna inquisicio.

Iuratores presentant . . . quod pons qui vocatur Lydenfordebrigge in parochia de Newent dirutus est et contractus ita quod nullus tempore yemali ibidem transire potest sine periculo mortis: qui quidem pons (*sic*) abbas de Gloucestre et Iohannes Deweros chivaler dominus de Newent coniunctim de iure tenentur reparare facere et manutenere tocies quociens necesse fuerit et non faciunt ad nocumentum tocies populi ibidem transeuncium etc.¹

LXXIV.

STAVERTON BRIDGE.

Presentments in Michaelmas term, 1387, before the king at Gloucester, that Staverton bridge is broken and impassable (1) by default of John Brounyng the younger, lord of Staverton, and his tenants of the said town: (2) by default of the said John, who ought to repair it by reason of his lands and tenements in Staverton: (3) by default of the said John and his heirs: (4) by default of the said John, who ought, as his ancestors had done from time immemorial, to repair it by reason of his tenure of Reignaldestenementes in Staverton.

Precept to the sheriff.

On 3 November the said John came (as above) by John de Bronston, his attorney, and said that the four presentments referred to one and the same bridge and that he was not lord of Staverton or of the manor of Staverton, but held two messuages, two carucates of land, six acres of meadow and pasture and three shillingsworth of rent there of John Brounyng and Agnes his wife as of the said Agnes' manor of Leigh, and that others in the said town hold of the king as of the manor of Uckington, which was taken into the king's hands by reason of the war as parcel of the alien priory of Deerhurst and granted to John Beauchamp, and he himself held no other lands, tenements

¹ The proceedings in the King's Bench are enrolled on *Coram Rege Roll*, Mich. 11 Richard II. rex 23*d*. The abbot and John Deweros acknowledged liability and stated that the bridge was now in good repair. Each was amerced 3*s*. 4*d*. for his past omission to repair the bridge.

or services there ; and he said that from time immemorial there was a ford there until 18 Edw. II., when Reynold atte Towneshende of Staverton of his free-will built a bridge there of his alms, since when the bridge has been repaired by persons asking alms of passers-by for that purpose without any liability on the lord of Staverton or of the manor there to repair the aforesaid bridge or ford, as is supposed in the first presentment or without any such liabilities as are supposed in the other three presentments. Edmund Brudenell, suitor for the king, did not acknowledge the matter alleged by the said John and said that he was bound to repair the aforesaid bridge, as was presented ; and he and the said John sought the verdict of the country. A jury was summoned for the quinzaine of Easter, 1388.

Coram Rege Roll, Mich., 11 Richard II. rex 15d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod pons de Staverton' est dirutus contractus et ruinosus ad nocumentum tocus patrie et quod homines de patria aquam predictam transire non possunt propter debilitatem pontis predicti et dicunt quod Iohannes Brounyng' iunior dominus de Staverton' et tenentes sui de predicta villa de Staverton' solent et debent facere et reparare pontem predictum et quod omnes predecessores sui domini manerii predicti et eiusdem manerii tenentes pontem predictum de iure fecerunt et reparaverunt. Item presentatum est quod pons qui vocatur Stavertonesbrygge est ita ruinosus et contracta (*sic*) quod nullus per pontem predictum toto tempore yemali potest transire sine magno periculo et quod Iohannes Brounyng' iunior de iure tenetur¹ reparare pontem predictum pro diversis terris et tenementis que ipsi tenent in villa de Staverton. Item presentatum est quod pons que vocatur Stavertonbrygge diruta est et contracta ita quod nullus ultra pontem predictum transire potest ad nocumentum patrie et quod Iohannes Brounyng' iunior et heredes sui tenentur de iure reparare et emendare. Item dicunt quod pons de Staverton' est contractus et ruinosus ob defectum Iohannis Brounyng' iunioris ad grave nocumentum tocus patrie et dicunt quod predictus Iohannes Brounyng' pontem predictum de iure tenetur facere et reparare et quod omnes antecessores sui tenentes terrarum et tenementorum vocatorum Reignaldestenementes in Staverton' pontem predictum a tempore quo non extat memoria de iure fecerunt et reparaverunt.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatum Iohannem ad respondendum etc.

Et modo scilicet in crastino Animarum isto eodem termino coram

¹ The plural is due to the fact that some words following *iunior* have been erased.

domino rege apud Glouc' venit predictus Iohannes Brounyng' per Iohannem de Bronston' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et emendare non debeat : qui dicit quod, ubi presentatum est quod ipse ut dominus de Staverton' et tenentes sui de predicta villa de Staverton' solent et debent facere et reparare pontem predictum et quod omnes predecessores sui domini manerii predicti et eiusdem manerii tenentes pontem predictum de iure fecerunt et reparaverunt et eciam ubi presentatum est quod idem Iohannes de iure tenetur reparare pontem predictum pro diversis terris et tenementis que ipse tenet in villa de Staverton' ac eciam quod idem Iohannes et heredes sui tenentur pontem predictum de iure reparare et emendare et eciam quod idem Iohannes Brounyng' pontem predictum de iure tenetur facere et reparare et quod omnes antecessores sui tenentes terrarum et tenementorum vocatorum Reynaldestenementes in Staverton' pontem predictum a tempore quo non extat memoria de iure fecerunt et reparaverunt, predictus Iohannes Brounyng' per attornatum suum predictum dicit quod omnes iste presentaciones sunt de uno et eodem ponte de Staverton' et dicit quod ipse non est dominus de Staverton' nec dominus manerii de Staverton' set dicit quod ipse tenet duo mesuagia duas carucas terre sex acras prati et pasture tres solidatas redditus cum pertinenciis in Staverton' de Iohanne Brounyng' et Agnete uxore eius ut de iure ipsius Agnetis ut parcellam manerii sui de Leygh' et dicit quod alii homines de Staverton' tenent terras et tenementa sua in Staverton' de rege ut de manerio de Okynton' seisito in manu domini regis causa guerre ut parcella de prioratu de Derehurst alienigina et per ipsum regem Iohanni Beauchamp' concesso et dicit quod ipse non habet nec tenet aliqua alia terras tenementa vel servicia in eadem villa de Staverton' et quo ad omnes istas presentaciones supradictas dicit quod ab antiquo solebat quoddam vadum ubi supponitur pontem predictum iam esse a toto tempore cuius contrarium memoria hominum non existit usque circiter annum decimum octavum annum (*sic*) domini E. filii regis E., circiter quem annum quidam Reginaldus atte Touneshende de Staverton' quendam pontem ex mera et spontanea voluntate sua de elemosinis suis ibidem facere fecit, citra quod tempus de elemosinis ibidem pertrans-euncium per elemosinariam pro ponte predicto faciendo et construendo diversi petentes elemosinas de sic pertranseuntibus pontem predictum fecerunt et reparaverunt ab inde usque nunc, absque hoc quod ipse est vel fuit dominus de Staverton' vel dominus manerii de Staverton' seu tenentes sui de predicta villa de Staverton' seu predecessores sui domini manerii predicti vel eiusdem manerii tenentes solent vel debent pontem

predictum vel vadum predictum ante predictum xvij annum de iure fecerunt seu reparaverunt seu facere et reparare tenentur prout per primam presentacionem supponitur et absque hoc quod ipse de iure pontem predictum ante predictum xvij annum vel vadum predictum reparare tenebatur vel pro diversis terris et tenementis que ipse tenet in villa de Staverton' reparare tenetur, prout per secundam presentacionem supponitur, et absque hoc quod ipse et heredes sui pontem predictum vel vadum predictum ante predictum xvij annum tenebatur de iure reparare et emendare seu tenentur, prout per terciam presentacionem supponitur, et absque hoc quod ipse pontem predictum vel vadum predictum ante predictum xvij annum de iure facere et reparare tenebatur seu quod antecessores sui tenentes terrarum et tenementorum vocatorum Reynaldestenement in Staverton' a tempore quo non extat memoria fecerunt seu reparaverunt seu facere et reparare tenentur, prout per quartam presentacionem supponitur: et hoc paratus est verificare et petit iudicium si dominus rex ipsum Iohannem contra materiam predictam occasionare velit.

Et Edmundus Brudenell' qui sequitur pro domino rege non cognoscendo materiam per prefatum Iohannem superius allegatam dicit quod predictus Iohannes de iure tenetur facere et reparare pontem predictum prout superius super ipsum presentatum est et hoc pro domino rege paratus est verificare. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Staverton bridge is slightly south of the village. Rudder¹ describes Staverton as being parcel of the manor of Uckington: but there appears to have been another manor there, subordinate to Leigh, which passed by marriage from the family of Rodborough to that of Browning.² Reignalddestenementes are plainly the tenement of the Reynold atte Townsend of Staverton, who is said to have built the bridge.

LXXV.

OBSTRUCTIONS OF THE RIVERS SEVERN AND WYE.

1. Presentment in Michaelmas term, 1387, before the king at Gloucester that the course of the Severn is stopped at Elmore by a sewer set there by Anselm le Gyse to the damage of all passing by that river and against the peace etc.

Precept to the sheriff.

On Friday, 8 November, the said Anselm came (as above) and said that the Severn had from time immemorial been a river in which many weirs

¹ P. 441.

² Rudder, p. 452.

were built, a space of eighteen feet in breadth being always reserved for the passage of boats, and that he and his ancestors, lords of the manor of Elmore, had had from time immemorial a weir, which the king's attorney supposed to be a sewer, pertaining to the said manor, eighteen feet being left for the passage of boats on the west side of the river, which he and his ancestors had always been wont to maintain and repair and which he himself so repaired, without hindering the course of the said river, except as had always been customary. Edmund Brudenell, suitor for the king, did not acknowledge aught that Anselm had alleged and said that the course of the river was stopped by the said Anselm's sewer, as was presented; and he and the said Anselm sought an enquiry by the country.

After postponements and upon a writ of nisi prius, on the octave of Hilary, 1389, the said Anselm came before the king at Westminster by his attorney, and Robert de Cherleton, chief justice of the common bench, sent the verdict of the jury to this effect: Afterwards on Monday, 11 January, the said Anselm came before the said Robert and John Cassy in person and the jury said that the aforesaid Anselm and all his ancestors, lords of the manor of Elmore, had from time immemorial a weir pertaining to the said manor, eighteen feet being left for the passage of boats on the west side of the said river, which was the sewer named in the said presentment, which he and his ancestors had always repaired, and which he himself had repaired, since it was in a very ruinous state, without hindering the course of the said river except as had always been customary. Therefore the said Anselm went quit thereof.

2. Presentment (as above) that the course of the river Severn is hindered and the land and meadows on either side flooded by a sewer set at Le Water-end by the abbot of Flaxley and raised to a greater height than is lawful and that the said abbot has taken salmon there at a forbidden season.

Precept to the sheriff.

On the octave of Trinity, 1388, the said abbot came before the king at Westminster and acknowledged that the said sewer was raised to a greater height than was lawful and was amerced 6s. 8d.; and the sheriff was ordered to distrain for security that the sewer should be lowered to its usual and lawful height and to certify the king on the octave of Hilary, 1389.

3. Note of pardon to the persons indicted below.

At a session at Gloucester before John Cassy, Robert Whityngton and John Derhurst, justices of the peace, on Wednesday, 10 March 1394-5, a jury said that the abbot of Tewkesbury had a weir in the Severn called Stenwere, and that the abbot of St. Augustine, Bristol, had a weir called Asshilwortheswere, the abbot of Gloucester weirs called Auchiswere, Pulwere, Lillewere, Denywere and Mynstrewortheswere, the prior of Lanthony weirs called Castelwere, Cokaynwere and Harsepoleswere, and Anselm Gyse a weir called Ellemoreswere, and that in all the said weirs there was an engine called la Butt, which was so closely wrought that the fry of lamprey and salmon and all kinds of fish were destroyed, and also that there were other engines called Wiles below the Seteweres between Rodley and Denywere

which similarly destroyed the said fry to the destruction of the said river and against the statute.¹

At a session held on Thursday, 16 December 1395, a jury of Dudstone hundred said that the abbot of Gloucester had divers weirs in the Severn called Pullewere, Aucheswere, Newe Were, Lillewere and Fremelodeswere, where he and William Quenhulle, kitchener of the said abbey, used seines, drags, fornwiles and cornwiles with an extremity called la Butte so closely wrought that no small fish or fry or 'shead' of lamprey, salmon, roach or 'chenendriers' could escape but were there taken; and that the abbot of St. Augustine, Bristol, the priory of Lanthony and Anselm le Gyse had similar engines at their aforesaid weirs (Castelwere being omitted): it was also presented by the conservators of the said water that Richard Welowe and others for the space of one year from Michaelmas, 1394, bought buckets full of small fish called 'flokcs' and 'dares' from the kitcheners of Gloucester abbey and Lanthony priory, William Baily of Ashelworth, Richard Robardes and John Cherlebury, before they ought to be sold or eaten, and sold them to divers subjects of the king at Gloucester, and they brought six buckets so full before the justices which were forfeited, and one moiety thereof was assigned to the poor of St. Bartholomew's hospital and the other to the prisoners in Gloucester castle: and it was also presented by John atte Fenne, one of the said conservators, that the abbot of Gloucester used butts, wiles and seines for taking small fish not meet to be eaten, and that the abbot of St. Augustine, Bristol, used butts and wiles and that Thomas and John Porter of Ashelworth, John Tetard and William Corf of Maisemore, Roger Seysdon and John Clerk used seines so closely wrought that the fry of fish were taken and destroyed against the statute.

At a session at Gloucester before John Cassy, Thomas Botiller, knight, Maurice Russell, knight, Robert Whityngton and John Derhurst, justices of the peace, on Wednesday, 24 May 1396, a jury said that since the statute prohibiting the destruction of fry by engines in the Severn and other rivers the abbot of Gloucester and the prior of Lanthony had so destroyed the fry of divers kinds of fish. The abbots and prior aforesaid and the said Anselm came and said that the aforementioned indictments were insufficient in law because the towns in which were the said weirs were not named and so there was no certain place where the issue of the plea could be tried, further protesting that they were ready to answer if the court held that the indictments were sufficient: and the justices, wishing to be certified as to the towns and parishes in which the said weirs were situated, caused an inquiry to be made thereon; and it was found that Pullewere and Auchiswere were in the parish of St. Mary opposite the gate of Gloucester abbey, Lillewere and Newewere were in Churcham, Menstreworthewere and Deny-

¹ 13 Ric. II. St. 1 c. 9, which confirmed c. 47 of Stat. Westm. II. (13 Edw. I.) touching the taking of salmon. The presentments here set out were made at the sessions of the Justices of the Peace by virtue of St. 17 Ric. II. c. 9, which made the Justices of the Peace conservators of the rivers within their jurisdiction, and gave them power to appoint under-conservators on oath to survey, search, and punish offenders.

were in Minsterworth, Frymelodewere in Standish, Cokaynwere and Castelwere in St. Owen Gloucester, Harspolyswere in Hempstead, Asshilworth weir in Ashelworth, Ellemoreswere in Elmore, and Stenwere in Tewkesbury.

At a session held on Monday, 28 August 1396, the abbots, prior and kitcheners before named came by their attorneys, and the said Anselm in person, and had a day on Monday, 5 March 1397. After a postponement, on the morrow of Trinity the abbot of Gloucester brought a writ directing the said justices to send the indictments relating to him, his monks and servants, into chancery, and no further process was to be taken in his case; after further postponements on the morrow of Trinity, 1399, the said prior brought a similar writ and John Berkele, the sheriff, warned the said justices to have all the said indictments, which were undetermined, before the king on the octave of Trinity; and accordingly the present record was so sent by John Cassy, John Derhurst and John Byseley, justices, who returned that nothing had been done as to the two aforesaid writs of *certiorari*.

At a session held on the said morrow of Trinity before John Cassy, John Berkele, John Derhurst and John Byseley, justices of the peace, a jury of Westbury said that the abbot of Tintern had a weir in the Wye called Hytheleswere, and from the feast of the Purification in that year had used engines called wiles to take and destroy the fry of salmon against the statute; that lady Talbot at Honsomeswere, Robert Ferrers, lord of Bicknor, at Bykenoreswere, and lord Mountagew, earl of Salisbury, at Ludbrokeswere, had used the said wiles for the same purpose.

1. Coram Rege Roll, Mich., 11 Richard II. rex 16.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentaverunt quod cursus aque de Severne impeditus et obstupatus [est] apud Elmore per Ancelmum le Gyse per quamdam seweram per predictum Ancelmum positam ad grave dampnum totius populi per aquam predictam trans-euncium et contra pacem etc.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faciat eum ad respondendum etc.

Et modo scilicet die Veneris proxima post festum Omnium Sanctorum isto eodem termino coram domino rege apud Glouc' venit predictus Auncelmus in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare sewera predicta sic per ipsum ibidem posita prosterni non debeat: qui dicit quod ubi per presentationem predictam supponitur quod cursus aque de Severne impeditur per quamdam seweram apud Elmore per ipsum positam dicit quod Severne est quoddam flumen in quo plures gurgites sunt edificate et semper ab antiquo et de tempore quo non extat memoria existebant reservato

semper spacio octodecim pedum in latitudine non concluso nec edificato pro transitu omnium hominum batellorum et navium ibidem transeuncium et dicit quod ipse et omnes antecessores sui domini manerii de Elmore a tempore quo non extat memoria habuerunt ibidem quandam gurgitem quam per declaracionem attornati domini regis supponitur esse seweram extranverso aque predictae eidem manerio de Elmore pertinentem dimittendo spacium octodecim pedum in latitudine non conclusum nec edificatum pro transitu omnium hominum batellorum et navium ibidem transeuncium iuxta ripam occidentalem aque predictae, prout ab antiquo esse consueverat, et dicit quod ipse et antecessores sui domini manerii predicti a tempore quo non extat memoria defectus ipsius gurgitis seu sewere edificare et reparare in manutencionem ipsius gurgitis seu sewere usi fuerunt quociens et qualitercumque necesse foret seu oportunum semper transitu predicto dumtaxat excepto etc. et pro eo quod predictus gurgis seu seweram indigebat edificacione et reparacione in manutencionem ipsius gurgitis seu sewere etc. predictus Ancelmus defectus ipsius gurgitis seu sewere sue predictae edificavit reparavit et emendavit, prout ipse et antecessores sui domini manerii predicti ab antiquo edificare reparare et emendare usi fuerunt, salvo spacio octodecim pedum predictorum absque hoc quod cursus aque predictae impeditur per gurgitem seu seweram apud Elmore per predictum Auncelmum positam nisi sicut ab antiquo esse consuevit prout per presentacionem predictam supponitur: et hoc paratus est verificare per patriam. Et Edmundus Brudenell' qui sequitur pro domino rege non cognoscendo aliqua per predictum Auncelmum superius allegata dicit quod cursus aque predictae impeditur per quandam seweram per prefatum Auncelmum apud Elmore positam prout superius super ipsum presentatum est et hoc petit quod inquiratur per patriam: et predictus Ancelmus similiter. Ideo veniat inde iurata coram domino rege in octabis sancti Hillarii ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefatis Auncelmo etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Ancelmus per attornatum suum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum per iuratas positas in respectum coram domino rege usque in octabas sancti Michaelis anno regni regis nunc duodecimo. Ad quem diem coram domino rege apud Westmonasterium venit predictus Ancelmus per attornatum suum et vicecomes alias retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis ipsius regis

iusticiariis hic directi de iurata predicta per breve ipsius regis de nisi prius capienda usque in octabas sancti Hillarii ubicumque etc. nisi dilectus et fidelis domini regis Robertus Cherleton' capitalis iusticiarius ipsius regis de Communi Banco prius die Lune proxima post festum Epiphanie Domini apud Glouc' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum diem vel coram prefato iusticiario ad prefatum diem et locum si etc. Idem dies datus est prefato Ancelmo etc. Ad quem diem coram domino rege apud Westmonasterium venit predictus Ancelmus per attornatum suum et Robertus Cherleton' iusticiarius etc. coram quo etc. misit recordum veredicti iurate predictae coram eo habite in hec verba:

Postea die et loco infracontentis coram Roberto Cherleton' capitali iusticiario domini regis de Communi Banco associato sibi Iohanne Cassy per formam statuti etc. venit Ancelmus le Gyse infranominatus in propria persona sua et super hoc iuratores exacti venerunt, qui, ad veritatem de infracontentis dicendam electi triati et iurati, dicunt super sacramentum suum quod predictus Ancelmus et omnes antecessores sui domini manerii de Elmore habuerunt a tempore quo non extat memoria apud Elmore quendam gurgitem in aqua de Severne extranverso aque illius eidem manerio pertinentem dimittendo in eadem aqua spacium decem et octo pedum in latitudine non conclusum nec edificatum pro transitu omnium hominum batellorum et navium ibidem transeuncium iuxta ripam occidentalem aque predictae prout ab antiquo esse consuevit, quiquidem gurges est illa eadem sewera per quam supponitur predictum Ancelmum cursum aque de Severne apud Elmore impedivisse et obstupasse, et dicunt quod predictus Ancelmus et omnes antecessores sui domini manerii predicti gurgitem predictum quocienscunque necesse fuerit edificare reparare et emendare potuerunt et defectus eiusdem in manutencionem ipsius gurgitis pro voluntate sua repararunt et emendarunt dimittendo in aqua predicta spacium decem et octo pedum in latitudine non conclusum nec edificatum pro transitu omnium hominum batellorum et navium ibidem transeuncium ad ripam occidentalem aque predictae et pro eo quod gurges predictus valde debilis et ruinosus extitit idem Ancelmus defectus eiusdem gurgitis reparavit et emendavit dimittendo predictum spacium decem et octo pedum in latitudine in aqua predicta non conclusum nec edificatum iuxta ripam occidentalem aque predictae, prout ab antiquo fieri consuevit, prout ipse et antecessores sui domini manerii predicti a tempore quo non extat memoria facere consueverunt, absque hoc quod cursus aque predictae impeditur vel obstupatur per gurgitem

predictum vel aliquam seweram apud Elmore per predictum Ancelnum positam nisi sicut ab antiquo esse consuevit prout predictus Ancelmus placitando allocavit Ideo consideratum est quod predictus Auncelmus eat inde quietus etc.

2. Coram Rege Roll, Trin., 11 Richard II. rex 1d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis nunc undecimo coram domino rege apud Glouc' presentaverunt quod cursus aque de Severne impeditus est et terra et pratum ex utraque parte aque predictae inundata et submersa est per quandam seweram apud le Waterende in aqua predicta positam per abbatem de Flaxleye plus exaltatam quam de iure exaltari deberet ad grave dampnum omnium hominum terram et pratum ex utraque parte aque predictae habencium et quod predictus abbas tempore ventito (*sic*) et defenso capit salmones ad grave dampnum omnium hominum comitatus Glouc' apud seweram predictam.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatum abbatem ad respondendum.

Et modo scilicet in octabis sancte Trinitatis isto eodem termino coram domino rege apud Westmonasterium venit predictus abbas per Stephanum del Fall' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare seweram predictam sic ad nocumentum patrie levatum prosterni non debeat: qui dicit quod ipse non potest dedicere quin sewera predicta plus exaltata est quam de iure deberet sicut superius super ipsum presentatum est. Ideo idem abbas in misericordia et afforatur per iusticiarios ad dimidiam marcam. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatum abbatem per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod tantum de sewera predicta quantum de novo et non de iure ad nocumentum patrie sic exaltatum existet prosternatur: et qualiter fuit executum domino regi in octabis sancti Hillarii ubicumque etc. distincte et aperte certificaret etc.

3. Ancient Indictments File 30 m. 3.

*Omnes isti indictati eant sine die quia allocatur perdonacio domini Ricardi nuper regis Anglie secundi post conquestum.*¹

Glouc'. Sessio tenta ibidem coram Iohanne Cassy Roberto Whit-

¹ This is added in a later hand. The document is a return to two writs of *certiorari*, which are filed with it.

ynngton et Iohanne Derhurst iusticiariis domini regis ad pacem etc. die Mercurii proxima ante festum sancti Gregorii Pape anno regni regis Ricardi secundi decimo octavo.

Xij iuratores¹. . . dicunt super sacramentum suum quod abbas de Teukesbury² habet unam gurgitem infra aquam Sabrine vocatam Stenwere abbas sancti Augustini Bristoll'³ unam gurgitem vocatam Asshilwortheswere abbas sancti Petri Glouc'⁴ unam gurgitem vocatam Auchiswere et aliam vocatam Pulwere prior de Lanthony⁵ unam gurgitem vocatam Castelwere et aliam vocatam Cokaynwere: item predictus abbas sancti Petri Glouc'⁵ habet eciam aliam gurgitem vocatam Lillewere aliam vero vocatam Denywere ac eciam aliam vocatam Mynstrewortheswere' et predictus prior⁵ habet eciam aliam gurgitem vocatam Harsepoleswere et Anselmus Gyse⁵ habet unam gurgitem vocatam Ellemoreswere et in omnibus et singulis gurgitibus predictis habetur quoddam ingenium quod vocatur La Butt' quod quidem ingenium operatur ita stricte quod propter stricturam operis dicti ingenii brodium quod vocatur la Frygh' de murenis et salmonibus ac de omni genere piscium destruitur et eciam quod subtus la Seteweres inter Rodeley et Denywere habentur alia ingenia vocata Wiles que consimili modo destruunt brodium predictum in magnam destruccionem aque Sabrine et contra formam statuti inde editi etc.

Glouc'. Sessio tenta ibidem coram prefatis iusticiariis die Iovis proxima ante festum sancti Thome Apostoli anno regni regis Ricardi supradicti decimo nono.

Dudd'. Xij iuratores¹. . . dicunt super sacramentum suum quod Walterus abbas beati Petri Glouc'⁵ habet in aqua Sabrine diversas gurgites vocatas Pullewere Aucheswere Newe Were Lillewere et Fremelodeswere, in quibus omnibus et singulis gurgitibus predictus abbas⁵ et Willelmus Quenhulle⁵ coquinarius abbacie predicte commonachus eiusdem abbatis utuntur diversis ingeniis vocatis Shenés Dragges Fornwiles et Cornwiles, in quibus quidem ingeniis habetur quedam extremitas, in fine eorundem vocata la Butte quod operatur ita stricte quod propter stricturam operis eorundem nullus pisciculus nec exitus piscium vocatus la Frygh' sive la Shead' tam de murenis et

¹ The names of the jurors are given.

² The following appears as an interlineation in later ink, *Sine die per iudicium curie die Hilarii anno Henrici quarti xiiij'.*

³ The following appears as an interlineation in later ink, *Sine die per predictam allocacionem.*

⁴ The following appears as an interlineation in later ink, *Sine die per iudicium curie.*

⁵ The following appears as an interlineation in later ink, *Sine die.*

salmonibus quam de roches et chenendriers aliquo modo evadere potest set ibidem capitur et destruitur in magnam destruccionem aque predictae contra formam statuti inde editi etc.

Item dicunt quod abbas sancti Augustini Bristoll¹ habet eciam in aqua Sabrine predicta unam gurgitem vocatam Asshelworthewere prior de Lanthony iuxta Glouc¹ habet eciam in eadem aqua duos gurgites unum vocatum Cokaynwere et alium vocatum Harsepolewere et Anselmus de Gyse¹ habet eciam in eadem aqua unum gurgitem vocatum Elmoreswere, in quibus eciam singulis gurgitibus utuntur ingeniis predictis, ita stricte operatis ut supradictum est de ingeniis predicti abbatis sancti Petri Glouc¹ et eius commonachi contra formam statuti inde editi etc.

Item presentatum est coram prefatis iusticiariis per conservatores aque predictae quod Ricardus Welowe et alii a festo sancti Michaelis anno regni domini regis nunc decimo octavo per unum annum integrum tunc proximo sequentem apud Glouc¹ diversis vicibus continuando emerunt de coquinario² abbatis sancti Petri Glouc¹ et de coquinario² prioratus de Lanthony iuxta Glouc¹ Willelmo Bailly¹ de Asshilworth¹ Ricardo Robardes¹ et Iohanne Cherlebury³ diversa vasa vocata bokettes plena pisciculis vocatis fokes et dares captis per ipsos coquinarios² Willelmum Ricardum et Iohannem antequam sint vendibiles sive edibiles et ea vendiderunt diversis ligeis domini regis apud Glouc¹ contra formam statuti predicti et etiam iidem conservatores tunc instanter sedentibus predictis iusticiariis pro pace etc. quesiverunt in foro Glouc¹ et protulerunt in curia coram prefatis iusticiariis sex vasa vocata bokets plena de talibus pisciculis vocatis fokes et dares qui non fuerunt edibiles pro homine vel vendibiles prout per eosdem iusticiarios. Ideo forisfacta fuerunt et assignata fuerunt scilicet una medietas pisciculorum pauperibus apud hospitale sancti Bartholomei et altera medietas inde prisonibus in castro Glouc¹ etc.

Item presentatum est per Iohannem atte Fenne unum conservatorum aque predictae quod abbas sancti Petri Glouc¹ utitur et habet diversa ingenia pro pisciculis non edilibus capiendis videlicet buttes wyles et shenes et abbas sancti Augustini Bristoll¹ habet et utitur buttes et wiles ac eciam Thomas Porter¹ de Asshelworth¹ Iohannes Porter¹ de eadem Iohannes Tetard¹ de Maysmore Willelmus Corf¹ de eadem Rogerus Seysdon¹ et Iohannes Clerk¹ quilibet eorum separatim pro se utitur shenes: que quidem omnia et singula ingenia operantur

¹ The following appears as an interlineation in later ink, *Sine die*.

² The following appears as an interlineation in later ink, *Sine die* etc.

³ The following appears as an interlineation in later ink, *Sine die* etc. *perdonatur*.

ita stricte quod propter stricturam operis eorundem la brood sive la shead vocata la frygh' piscium ibidem capitur et destruitur contra ordinacionem statuti inde editi etc.

Glouc'. Sessio tenta ibidem coram Iohanne Cassy Thoma Botiller milite Mauricio Russell' chivaler Roberto Whityngton' et Iohanne Derhurst iusticiariis ad pacem etc. die Mercurii in septimana Pentecostes anno supradicto.

Glouc'. Xij iuratores¹ . . . dicunt super sacramentum suum quod abbas sancti Petri Glouc' et Willelmus prior de Lanthony iuxta Glouc', a die et anno quo statutum editum et confirmatum fuerat ne quis cuiuscumque gradus aut status fuerit uti deberet aliquibus ingeniis ad destruendum la frygh sive la shead de piscibus cuiuscunque generis in aqua Sabrine et aliis ripariis, contra statutum inde editum et defensionem iusticiariorum supradictorum predicti abbas et prior a die et anno supradictis continuarunt et semper continuant et tenent ingenia videlicet shenes et buttes per que destruxerunt et semper destruunt la frygh diversorum piscium in preiudicium domini regis et populi sui.

Item sciendum est quod, ubi alias pro domino rege per diversas inquisiciones coram prefatis iusticiariis apud Glouc' captas et per diversas presentationes conservatorum compertum fuit quod abbas sancti Petri Glouc' abbas sancti Augustini Bristoll' abbas de Teukesbury prior de Lanthony iuxta Glouc' et Auncelmus de Gyse habent et tenent diversos gurgites in aqua Sabrine in quibus capiunt pisciculos antequam sint vendibiles vel edibiles et eciam capiunt et destruunt brodium sive le shead vocatum le frygh' de quibuscunque piscibus in eadem aqua existentibus in magnam destruccionem aque predicte et contra statuta et deffencionem inde facta et ad commune dampnum populi, que quidem indictamenta et presentationes plenius patent in rotulis cessionum (*sic*) iusticiariorum predictorum scilicet rotulo xj^o et xij^o, et continuato inde processu versus predictos abbates priorem et Auncelmum usque ad hanc cessionem predictam modo ad hunc diem etc. venerunt predicti abbates et prior per attornatos suos et predictus Auncelmus in propria persona sua et separatim inde allocuti dicunt quod indictamenta superius specificata non sunt sufficiens in lege eo quod nulla fit mencio in eisdem in qua villa predicti gurgites sunt et sic non ponitur aliquis certus locus ubi exitus placiti inter dominum regem et ipsos triari posset si placitum inde deduceretur unde non intendunt quod dominus rex eos super indictamentis predictis occasione predicta impetire velit etc., protestando tamen quod, si curia consideraverit

¹ The jurors are named.

eadem indictamenta esse in se sufficiencia, quod ipsi parati sunt inde respondere, et quia iusticiarii predicti volunt ulterius et certius assertari in qua villa vel parochia predicti gurgites sunt idem iusticiarii inquiri fecerunt ulterius quo ad hoc videlicet quod certus locus specificetur in quibus (*sic*) gurgites illi sunt quod curia non potest aliter assartari (*sic*) de . . . veritas predictae materie inquiri potest pro domino rege.

Et modo ad hunc diem Mercurii etc. compertum est per predictos xij iuratores de villa Glouc' superius specificatos et nominatos quod gurgites vocati Pullewere et Auchiswere quos abbas Glouc' habet et tenet sunt in parochia sancte Marie ex opposito porte abbacie Glouc' et gurgites vocati Lillewere et Newewere quos idem abbas habet et tenet sunt in parochia de Chirchham et gurgites vocati Menstreworthewere et Denywere quos idem abbas habet et tenet sunt in parochia de Mynstreworth' ac eciam gurges vocatus Frymelodewere quem idem abbas habet et tenet est in parochia de Standyssh' et gurgites vocati Cokaynwere et Castelwere quos prior de Lanthony tenet et habet est (*sic*) in parochia sancti Audoeni de Glouc' et gurges vocatus Harspolyswere quem idem prior habet et tenet est in parochia de Heyamstede et gurges vocatus Asshilworth' were quem abbas sancti Augustini Bristoll' habet et tenet est in parochia de Asshilworth' et gurges vocatus Ellemoreswere quem Aunselmus de Gyse habet et tenet est in parochia de Elmore et gurges vocatus Stenwere quem abbas de Teukesbury habet et tenet est in parochia de Teukesbury. Ideo etc.

Glouc'. Sessio tenta ibidem coram prefatis iusticiariis domini regis ad pacem etc. die Lune proxima ante festum Decollacionis sancti Iohannis Baptiste anno regni regis Ricardi predicti xx^o.

Glouc'. Dies datus est Waltero abbati beati Petri Glouc' Willelmo Quenhull' commonacho eiusdem abbatis et coquinario abbacie predictae Willelmo priori de Lanthony iuxta Glouc' et coquinario eiusdem domus concanonico eiusdem prioris abbati sancti Augustini Bristoll' et abbati de Teukesbury per attornatos suos et Anselmo de Gyse in propria persona sua ad respondendum domino regi de quibusdam transgressionibus et contravencionibus contra statutum de gurgitibus et ingeniis in aqua Sabrine usis et positis etc. unde indictati sunt hic usque diem Martis proximum post festum sancte Cedde episcopi in statu quo nunc etc. ita quod vicecomes sicut prius inquiri faciat medio tempore per sacramentum xij tam conservatorum quam aliorum proborum et legalium hominum etc. de quibuscumque rebus et ingeniis omnes . . . comitatus predicti concernentibus et ad certificandum iusticiarios predictos inde apud Glouc' ad prefatum diem . . . [Ad] quem diem venerunt predicti abbates prior coquinarii et Willelmus Grenhull' per

attornatos suos et predictus Anselmus [in] propria persona sua et super hoc dies datus est eis coram prefatis iusticiariis apud Glouc' die Lune in crastino sancte Trinitatis etc. in statu quo nunc etc. Ad quem diem venerunt predicti abbates prior coquinarii et Willelmus Grenehull' per attornatos suos et predictus Anselmus in propria persona sua et super hoc dictus abbas sancti Petri protulit in curia coram prefatis iusticiariis quoddam breve domini regis eisdem iusticiariis directum ad mittendum omnia et singula indictamenta facta coram prefatis iusticiariis de quibusdam transgressionibus unde abbas beati Petri Gloucestrie et quamplures commonachi ac servientes sui indictati sunt cum omnibus ea tangentibus coram domino rege in cancellaria sua. Ideo quo ad predictum abbatem commonachos et servientes suos nullus processus fiat inde hic et super hoc dies datus est prefatis priori de Lanthony coquinario eiusdem domus abbati sancti Augustini abbati de Teukesbury et Anselmo coram prefatis iusticiariis apud Glouc' die Lune proximo ante festum sancti Michaelis in statu quo nunc etc.

Postea continuato inde processu per dies inde datos partibus etc. de cessione in cessionem in forma predicta usque ad cessionem tentam coram prefatis iusticiariis apud Glouc' die Lune in crastino sancte Trinitatis anno regni domini regis nunc vicesimo primo. Et modo hic ad hunc diem Lune etc. venit predictus prior et protulit quoddam breve domini regis eisdem iusticiariis directum ad mittendum omnia et singula indictamenta facta coram prefatis iusticiariis de quibusdam transgressionibus mesprisonibus et aliis malefactis unde predictus prior et quidam concanonici et servientes eiusdem prioratus inditati sunt cum omnibus ea tangentibus coram domino rege in cancellaria sua Et super hoc venit Iohannes Berkele vicecomes Glouc' et premunire fecit iusticiariis predictis ad habendum omnia indictamenta coram eis non determinata coram domino rege ubicumque in octabis sancte Trinitatis tunc proximo sequentis etc. Et quia nichil de recordo predicto quo ad predictos abbatem beati Petri Glouc' et eius commonachos et servientes ad huc mittitur coram domino rege in cancellaria nos Iohannes Cassy Iohannes Derhurst et Iohannes Byseley iusticiarii ad pacem etc. mittimus plenum recordum coram domino rege ubicumque in octabis sancte Trinitatis secundum premunionem nobis inde factam et quo ad predicta brevia de certificando¹ nihil actum [est].

Glouc'. Sessio tenta ibidem coram Iohanne Cassy Iohanne Berkele Iohanne Derhurst et Iohanne Byseley iusticiariis domini regis ad pacem etc. die Lune in crastino sancte Trinitatis anno regni regis Ricardi secundi vicesimo primo.

¹ The two writs are on the same file of indictments.

Westbury. Xij iuratores¹ . . . dicunt super sacramentum suum quod abbas de Tynterne tenet unum gurgitem in cursu aque de Wye vocatum Hytheleswere et habet et habuit diversa ingenia ibidem vocata wiles a festo Purificacionis beate Marie anno regni domini regis nunc vicesimo primo usque ad hanc sessionem in quibus quidem ingeniis cepit et de die in diem capit la frygh' de salmonibus et illud destruit in contemptum domini regis et contra formam statuti inde editi etc. Item dicunt quod domina de Talbot tenet eciam unum gurgitem in eadem aqua apud Honsom vocatum Honsomeswere et habet et habuit diversa ingenia ibidem vocata wiles per tempus predictum in quibus eciam ingeniis capit et diversis vicibus cepit le frygh' de salmonibus et illud destruit contra formam statuti etc.

Item dicunt quod Robertus Ferrers dominus de Bekenore tenet eciam unum gurgitem in eadem aqua apud Bykenore vocatum Bykenoreswere et habuit per tempus predictum diversa ingenia ibidem vocata wiles: in quibus eciam ingeniis cepit la frygh' de salmonibus et illud destruxit contra formam statuti etc.

Item dicunt quod dominus Mountagew comes Sar' tenet eciam unum gurgitem in eadem aqua apud Lodebrook vocatum Ludbrokeswere et habuit per tempus predictum diversa ingenia vocata wiles in quibus eciam ingeniis cepit la frygh' de salmonibus et illud destruxit contra formam statuti etc.

Waterend is in the parish of Longney on the opposite side of the river to Flaxley Abbey. Very few of the names of the weirs on the Severn are shewn on the one-inch Ordnance Survey with the exception of those named after parishes. Denny Hill however is marked on the S.W. corner of Minsterworth: Standish is some distance from the Severn, but is a parish with many detached portions, one of which may have been locally in Framilode, though Rudder² does not notice the fact.

Three of the four weirs on the Wye are close together at Huntsham, Bicknor and Lydbrook. Hytheleswere appears as Itbelswere in the Dissolution account of Tintern.³

LXXVI.

BRIDGE AT STONE.

Presentment in Michaelmas term, 1387, before the king at Gloucester that a bridge called Thachambrygge in the parish of Stone is broken and that Thomas de Berkeley, knight, and his tenants of Ham ought to repair it.

¹ The jurors are named.

² Pp. 431, 681, 682.

³ Dugdale, *Monasticon*, v. 273.

Precept to the sheriff.

On Wednesday, 6 November, the said Thomas came (as above) by Stephen del Fal', his attorney, and said that he and his tenants were not bound to repair the said bridge and that none of his ancestors had ever repaired it. Edmund de Brudenell, suitor for the king, said that the aforesaid Thomas and his tenants were bound to repair it, as was presented: and he and the said Thomas sought the verdict of the country.

After postponements and upon a writ of nisi prius, on the octave of Hilary, 1389, the said Thomas came before the king at Westminster by his attorney, and Robert Cherleton, chief justice of the common bench, sent the verdict of the jury to this effect: Afterwards on Monday, 11 January, the said Thomas came before the said Robert and John Cassy by Walter Gryffitz his attorney. It was found by the triers of the jury that the said Thomas was lord of Berkeley hundred and that Richard Nassh and others, whose names were struck off the panel, were free tenants within the jurisdiction of the said Thomas. Therefore the panel was quashed and a jury of 24 of the neighbourhood was summoned for the quinzaine of Easter.

After postponements and upon a writ of nisi prius, on the octave of Michaelmas the said Thomas came before the king at Westminster, and Robert Cherleton and John Hulle, justices, sent the verdict of the jury to this effect: Afterwards on Tuesday, 21 September, the said Thomas came by his said attorney before the said Robert and John, justices of assize, and a jury came and said that the aforesaid Thomas and his tenants were not bound to repair the said bridge.

Coram Rege Roll, Mich., 11 Richard II. rex 18d.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Glouc' presentant quod pons qui vocatur Thachambrygge in parochia de Stone dirutus est et contractus et quod Thomas de Berkeley chivaler et tenentes sui de villata de Hamme illum tenentur reparare et emendare et non emendarunt ad nocumentum tocus patrie.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eos ad respondendum etc.

Et modo scilicet die Mercurii proxima ante festum sancti Martini isto eodem termino coram domino rege apud Glouc' venit predictus Thomas per Stephanum del Fal' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum simul cum tenentibus suis villate predictae reparare et emendare non debeat, qui dicit quod ipse non tenetur reparare nec emendare pontem predictum cum tenentibus suis predictis sicut super ipsum presentatum est nec quod ipse nec aliquis antecessorum pontem predictum ante hec tempora reparaverunt et hoc paratus est verificare per patriam et petit

iudicium etc. Et Edmundus Brudenell' qui pro domino rege sequitur dicit quod predictus Thomas de Berkele et tenentes sui de villata de Hamme tenentur reparare et emendare pontem predictum prout superius super ipsum presentatum est et hoc paratus est pro dicto domino rege verificare per patriam : et predictus Thomas similiter. Ideo venit inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum per iuratas positas in respectum coram domino rege usque in octabas sancti Michaelis anno regni regis nunc duodecimo, ad quem diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum. Et vicecomes alias retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque in octabas sancti Hillarii ubicumque etc. nisi dilectus et fidelis domini regis Robertus Cherleton' capitalis iusticiarius ipsius regis de Communi Banco prius die Lune proxima post festum Epiphanie Domini apud Glouc' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefato iusticiario ad prefatum diem et locum si etc. Idem dies datus est prefato Thome etc. Ad quem diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum et Robertus Cherleton' coram quo etc. misit recordum veredicti iurate predicte coram eo habite in hec verba :

Postea die et loco infranominatis coram Roberto Cherlton' capitali iusticiario domini regis de Communi Banco associato sibi Iohanne Cassy per formam statuti etc. venit Thomas de Berkeley chivaler infranominatus per Walterum Gryffitz attornatum suum : et super hoc iuratoribus exactis quibusdam eorum competentibus et quibusdam non competentibus compertum est per triatores iurate quod pons qui vocatur Thachambrugg' in parochia de Stone unde infra fit menceio est infra hundredum de Berkeley et quod predictus Thomas est dominus eiusdem hundredi et quod Ricardus Nassh' et omnes alii quorum nomina cancellantur in panello sunt liberi tenentes infra iurisdictionem et districtionem predicti Thome et similiter quod omnes ceteri liberi tenentes infra hundredum predictum sunt infra iurisdictionem et districtionem predicti Thome pretextu hundredi sui

predicti. Ideo consideratum est quod panellum predictum quassetur et penitus adnulletur et preceptum est vicecomiti quod non omittat etc. quin venire faciat coram domino rege a die Pasche in xv dies ubicumque etc. xxiiij^{or} tam milites quam alios de visneto hundredo predicto propinquiori per quos etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato Thome etc.

Ad quem diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum et vicecomes alias retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege usque in octabas sancte Trinitatis tunc proximo sequentis ubicumque etc. Idem dies datus est prefato Thome etc. Ad quam diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum et vicecomes alias retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis ipsius regis iusticiariis hic directi de iurata predicta per breve ipsius regis de nisi prius capiendo usque in octabas sancti Michaelis tunc proximo sequentis ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignati prius die Martis proxima post festum exaltacionis sancte Crucis apud Glouc' venerint pro defectu iurate quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatos diem et locum si etc. Idem dies datus est prefato Thome etc. Ad quem diem coram domino rege apud Westmonasterium venit predictus Thomas per attornatum suum predictum et Robertus Cherleton' et Iohannes Hulle iusticiarii coram quibus etc. miserunt recordum veredicti iurate predictae coram eo habite in hec verba :

Postea die et loco infracontentis coram Roberto Cherleton' et Iohanne Hulle iusticiariis domini regis ad assisas etc. venit Thomas de Berkelye chivaler infranominatus per Walterum Griffith' attornatum suum et iurata similiter venit et proclamacio pro domino rege facta est quod si aliquis sit qui informare velit iuratores predictos in hac parte veniat et audietur et nullus venit etc. Iidem iuratores ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus Thomas non tenetur reparare nec emendare pontem qui vocatur Thaccham Brigge in parochia de Stone infranominata cum tenentibus suis villate de Hamme de quibus infra fit mencio prout idem Thomas infra placitando cum domino rege allegavit. Ideo.¹

¹ A writ of nisi prius and the return thereto in this matter is enrolled on *Coram Rege Roll*, Trin., 11 Richard II. rex 21 d.

LXXVII.

ROADS AT MAISEMORE.

Presentment in Michaelmas term, 1387, before the king at Gloucester that the high road called Mayysmorstret between Huddestyliwell and the place of Roger atte Chere is flooded and perilous in winter by default of the abbot of Gloucester: also that the road called Mayesmoreshull' is flooded and perilous in winter by default of the said abbot to cleanse and repair the ditches on either side thereof, as he is bound to do by reason of his lands and tenements in Maisemore.

Precept to the sheriff.

On Saturday, 9 November, the said abbot came (as above) by Stephen del Fall' his attorney and said that he was not bound to repair the said roads. Edmund Brudenell, suitor for the king, said that he was so bound: and he and the said abbot sought the verdict of the country. A jury was summoned for the following Tuesday.

Coram Rege Roll, Mich., 11 Richard II. rex 17.

Glouc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege a (*sic*) *Glouc'* presentaverunt quod alta via vocata Mayysmorstret inter Huddestyliwell' et locum Rogeri atte Chere tempore iemali submersa est et quod nullus per viam predictam absque maximo periculo transire potest ad nocumentum patrie et quod abbas de *Glouc'* et antecessores sui tenentur de iure reparare et emendare: item presentant quod via que vocatur Mayesmoreshull' est ita submersa quolibet tempore yemali pro defectu mundacionis fossatorum ex utraque parte et reparacionis vie predictae quod nullus per viam predictam potest transire sine magno periculo et quod abbas sancti Petri *Glouc'* et successores sui viam predictam de iure tenentur reparare pro certis terris et tenementis que ipsi tenent in villa de Mayesmore, ad nocumentum tocius patrie ibidem transeuntis.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad respondendum etc.

Et modo scilicet die sabbati proxima ante festum sancti Martini isto eodem termino coram domino rege apud *Glouc'* venit predictus abbas per Stephanum del Fall' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare vias predictas reparare et emendare non debeat, qui dicit quod ipse non tenetur reparare nec emendare vias predictas sicut super ipsum presentatum est et hoc paratus est verificare per patriam. Et Edmundus Brudenell qui pro domino rege sequitur dicit quod predictus abbas vias predictas reparare et emendare tenetur sicut super ipsum presentatum est et hoc paratus

est verificare per patriam. Et predictus abbas similiter. Ideo veniat inde iurata coram domino rege apud Glouc' etc. die Martis proxima post festum sancti Martini et qui etc. ad recognoscendum etc.

An interesting account of Maisemore bridge is printed by Rudder,¹ from which it would appear to be of very considerable antiquity.

LXXVIII.

BRIDGE AT TIRLEY.

Presentment in Michaelmas term, 1387, before the king at Gloucester that the bridge called the Newebrugge of Trenlleyen is flooded and impassable in winter by default of Robert Blakewell, lord of Rey, to clean the ditches on either side.

Precept to the sheriff.

On Tuesday, 4 May 1389, the said Robert came before the king in person at Westminster and acknowledged that he was liable to repair the said bridge and that at the time of the presentment it was flooded : and he was amerced 3s. 4d.

Coram Rege Roll, Easter, 12 Richard II. rex 2.

Glouc'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni Ricardi secundi undecimo coram domino rege apud Glouc' presentaverunt quod pons que (*sic*) vocatur the Newebrugge of Trenlleyen pro defectu mundacionis fossatarum ex utraque parte pontis illius submersa est et quod nullus ultra pontem predictum tempore yemali transire potest ad nocumentum patrie et quod Robertus Blakewell' dominus de Reye et heredes sui tenentur de iure reparare et emendare.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eum ad respondendum etc.

Et modo scilicet die Martis proxima post festum Invencionis sancte Crucis isto eodem termino coram domino rege apud Westmonasterium venit predictus Robertus in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum reparare et emendare non debeat : qui dicit quod non potest dedicere quin ipse pontem predictum de iure facere et reparare tenetur sicut super ipsum presentatum est et quod tempore presentacionis capte pons ille dirutus fuit et submersus. Ideo idem Robertus pro non reparacione pontis predicti in misericordia et affioratur per iusticiarios ad xl denarios : et preceptum est vicecomiti quod non omittat etc. quin distringat

¹ P. 543.

prefatum Robertum per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod pons predictus ad plenum reparetur tocies quociens necesse fuerit etc.

The identification of Trenleyen as Tirley has partial support in other early variants of the name¹ and in the presence in this parish of Tirley Rye and of an important bridge called Hair Bridge on its border.

LXXIX.

WATERCOURSE IN HARESFIELD.

Presentment [*temp.* Ric. II.] by a jury of Whitstone hundred that Aymer Boteler has diverted a watercourse called Berepaire.

Ancient Indictments File 182 m. 6.

Hundredum de Whiston'.

Iuratores ibidem presentant quod Almaricus Boteler divertit cursum aque vocatum Berepaire ultra rectum cursum ad maximum nocumentum omnium hominum ibidem adiacencium.

This identification is taken from Baddeley's *Gloucestershire Place-Names*,² and is supported by the tenure of Park End in this parish by Aymer Butler, who acquired from it his name of a *Park*.³

LXXX.

BRIDGE AT HARDWICKE.

Presentment [*temp.* Ric. II.] by a jury of Whitstone hundred that a bridge called Wolgaresbrug at Hardwicke is broken by default of Aymer Boteler and the townships of Hardwicke and Haresfield.

Ancient Indictments File 182 m. 6.

Hundredum de Whiston'.

Item presentant quod pons vocatus Wolgaresbrug' apud Hardewyk' est dirutus et contrafactus ad grave nocumentum tocus populi ibidem transeuntis ob defectum Almarici Boteler et hominum villatarum de Herdewyk' et Harsfeld': quem quidem pontem predictus Almaricus et homines villatarum predictarum reparare tenentur.

¹ Baddeley's *Gloucestershire Place-Names*, p. 155.

² P. 18.

³ Rudder, p. 475.

HAMPSHIRE.

LXXXI.

MANSBRIDGE BY SWAYTHLING AND ADJACENT ROAD.

1. Commission, dated at Stirling, 6 February 1336, to John de Scures, John de Hampton and John de Tiryngham, to enquire concerning the defects of Mansbridge bridge and the persons liable for its repair and to send the inquisition made thereon into chancery.

By virtue whereof an inquisition was taken on Monday, 25 November, at Swaythling and the jurors said that the aforesaid bridge was broken and ought to be repaired by the townships of Allington, Botley, Woolston, Shirley, Sidford, Chilworth, Stoneham, Eastleigh and by Henry Imberd and his tenants of Redbridge.

The said inquisition was sent into the king's bench by letters close dated 12 March 1337, and the sheriff was ordered to notify the said townships and the said Henry and his tenants that they were to be before the king on the octave of St. John Baptist.

Another inquisition, sent from chancery to the king's bench by letters close dated 3 July 1363, was taken at Swaythling by Mansbridge on Saturday, 3 June, on a commission dated at Westminster, 12 May, to Walter de Haywode, Thomas de Hampton, sheriff of the county, and Thomas Warner, to enquire concerning the defects of the said bridge and the persons who ought to repair it. The jurors said that the abbot of Netley, who held the manor of Townhill, ought to repair the said bridge and that previous holders of the said manor had done so from time immemorial and that the soil on either side of the said bridge is parcel of the said manor and the abbot and his predecessors alone took the profit of the water on either side thereof and had an easement of carriage across the said bridge more than any others.

A precept issued to the sheriff and after a postponement on the octave of Hilary, 1364, the said abbot came before the king in person at Westminster and said that in Michaelmas term, 1337, judgment was given before the king at Canterbury that the men of the aforesaid townships and the said Henry and his tenants ought to repair the said bridge, and he produced an exemplification, dated 20 April 1353, of the said judgment, whereby it was shown that in consequence of the first-named inquisition the sheriff was ordered to notify the tithingmen and others of the said townships (named) and the said Henry and his tenants (named) that they were to be before the king on the octave of Michaelmas 1337, when they came not, and that the sheriff was therefore ordered to distrain: and the abbot therefore said that

the aforesaid townships and the said Henry and his tenants, and not he himself and previous holders of the manor of Townhill, ought to repair the said bridge and he sought a writ of *venire facias* against the men of the said townships and the said Henry and his tenants. Richard de Friseby, suitor for the king, said that the abbot was bound to repair the said bridge, as was presented, and he and the said abbot sought the verdict of the country.

A jury was summoned for the octave of the Purification, 1364, and after a postponement and upon a writ of *nisi prius* the said abbot came before the king on the quinzaine of Easter, and John de Moubray and his fellows, justices of assize in the said county, sent the verdict of the jury to this effect: Afterwards before the said John and Edmund Chelreye at Winchester, on 24 February, came the men of the said townships (except Woolston) and the tenants of the said Henry came not, and the sheriff informed the court that the said Henry was dead: and a jury came with the assent of Michael Skillyng and the men of the said townships, suitors for the king, and of the said abbot, and said that the aforesaid abbot, as holder of the manor of Townhill, ought to repair the said bridge and that both the earls of Oxford and other holders of the said manor, before it came into the hands of the said abbot or his predecessors, had repaired the bridge from time immemorial by reason of their tenure. The sheriff was therefore ordered to distrain on the said abbot and his successors and to surcease any distress on the said townships or on the said Henry or his tenants.

2. Presentment [*circa* 14 Ric. II.] by jurors of Mansbridge hundred that Townhill Lane between Mansbridge and Bygstaple is flooded and impassable in winter so that none can pass without fear of death by default of the said abbot, who ought to clean the ditches on either side thereof.

1. Coram Rege Roll, Easter, 11 Edward III. rex 13.

Suth'. Dominus rex mandavit Iohanni de Seures Iohanni de Hampton' et Iohanni de Tiryngham breve suum patens in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et dux Aquitanie dilectis et fidelibus suis Iohanni de Seures Iohanni de Hampton' et Iohanni de Tiryngham salutem. Quia datum est nobis intelligi quod pons de Mannesbrigg' in comitatu Sutht' per defectum et negligenciam quorundam hominum parcium illarum qui pontem illum reparare et sustentare tenentur adeo dirutus est et confractus quod hominibus per pontem illum transeuntibus dampna non modica et pericula ibidem retroactis temporibus evenerunt et maiora ibidem evenire futuris temporibus formidantur nisi super hoc celerius remedium apponatur, nos volentes huiusmodi dampnis et periculis precavere et in premissis remedium apponere oportunum assignavimus vos et duos vestrum ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto per quos rei veritas melius sciri poterit per cuius vel quorum defectum et negligenciam dictus pons sic dirutus est et confractus et qualiter

et quomodo et quis vel qui pontem illum reparare et sustentare tenentur et eum hactenus reparare et sustentare consueverunt et ex qua causa et qualiter et quo modo necnon de omnibus aliis circumstanciis premissa contingentibus plenius veritatem : et ideo vobis mandamus quod ad certos diem et locum quos vos vel duo vestrum ad hoc provideritis inquisicionem illam faciatis et eam distincte et aperte factam nobis sub sigillis vestris vel duorum vestrum et sigillis eorum per quos facta fuit sine dilacione mittatis et hoc breve. Mandavimus eciam vicecomiti nostro comitatus predicti quod ad certos diem et locum quos vos vel duo vestrum ei scire faciatis venire faciat coram vobis vel duobus vestrum tot et tales probos et legales homines de balliva sua per quos rei veritas in premissis melius sciri poterit et inquiri. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Strivelyn vj die Februarii anno regni nostri decimo.

Pretextu cuius brevis prefati Iohannes de Scures Iohannes de Hampton' et Iohannes de Tiryngham diligentem fecerunt inquisicionem super premissis quam miserunt in cancellariam domini regis in hec verba : Inquisicio capta coram Iohanne de Scures Iohanne de Hampton' et Iohanne de Tiryngham ad inquirendum assignatis iuxta tenorem brevis domini regis predicti per cuius vel quorum defectum et negligenciam pons de Mannesbrigg' in comitatu Sutht' dirutus est et contractus et qualiter et quomodo et quis vel qui pontem illum reparare et sustentare tenetur et eum hactenus reparare et sustentare consueverunt et ex qua causa et qualiter et quo modo per sacramentum Willelmi de Caldecote¹ . . . qui dicunt super sacramentum suum quod dictus pons de Mannesbrigg' dirutus est et contractus per defectum et negligenciam hominum villatarum de Aldynton' Bottele Wolveston' Shirle Sedeford' Cheleworth' Stonham Estele et Henrici Imberd' et tenencium suorum de Rudbrigge et non aliorum qui pontem illum reparare et sustentare tenentur eo quod ipsi et antecessores sui et non alii eum semper hactenus reparare et sustentare communibus sumptibus suis consueverunt. In cuius rei testimonium predicti iuratores huic inquisicioni sigilla sua apposuerunt date apud Swathelyng' die Lune in festo sancte Katherine virginis anno regni regis Edwardi tercii a conquestu decimo.

Quam quidem inquisicionem una cum brevi predicto dominus rex misit a cancellaria sua coram iusticiariis suis hic sub pede sigilli sui per breve suum clausum in hec verba : Edwardus dei gracia rex Anglie dominus Hibernie et dux Aquitanie dilectis et fidelibus suis Galfrido le Scrop' et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Quandam inquisicionem super defectibus pontis de

¹ The names of eleven other jurors are given.

Mannesbrigg' in comitatu Sutht' de mandato nostro captam et in cancellariam nostram retornatam vobis mittimus sub pede sigilli nostri mandantes quod visa inquisicione predicta ac vocatis coram vobis quos in hac parte fore videritis evocandos ulterius inde fieri faciatis quod de iure et secundum legem et consuetudinem regni nostri fuerit faciendum Teste me ipso apud Westmonasterium xij die Marcii anno regni nostri undecimo.

Quorum pretexto preceptum est vicecomiti Sutht' quod per probos et legales homines de comitatu predicto scire faciat hominibus predictarum villatarum de Aldynton' Bottele Wolveston' Shirle Sideford' Cheleworth' Stonham et Estele et eciam Henrico Imberd' et tenentibus suis de Rudbrigge quod sint coram domino rege in octabis sancti Iohannis Baptiste ubicumque etc. ostensuri si quid pro se habeant vel dicere sciant quare ipsi ad pontem predictum reparandum distringi non debeant etc.

2. Coram Rege Roll, Mich., 37 Edward III. rex 2d.

Sutht'. Dominus rex mandavit Henrico Grene et sociis suis iusticiariis hic breve suum clausum in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie dilectis et fidelibus suis Henrico Grene et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem Quandam inquisicionem de mandato nostro factam et in cancellariam nostram retornatam vobis mittimus sub pede sigilli nostri mandantes [*etc. ut supra*]. Teste me ipso apud Westmonasterium tercio die Iulii anno regni nostri tricesimo septimo.

Commissio Waltero de Haywode et sociis suis iusticiariis inde directa sequitur in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie dilectis et fidelibus suis Waltero de Haywode Thome de Hampton' vicecomiti Sutht' et Thome Warner salutem. Quia datum est nobis intelligi quod pons de Manesbrigg adeo dirutus est et confractus quod hominibus sive cariagiis securus non patet transitus ibidem ad grave dampnum hominum parcium illarum et aliorum ibidem transeuncium impedimentum et periculum manifestum, nos ut super reparacione dicti pontis ordinare valeamus volentes certiorari utrum aliquis pontem illum reparare et sustentare ex debito teneatur neene et, si sit, tunc quis vel qui qua de causa qualiter et quo modo, assignavimus vos et duos vestrum ad inquirendum per sacramentum proborum et legalium hominum de comitatu Sutht' infra libertates et extra per quos rei veritas melius sciri poterit de premissis omnibus et singulis ea tangentibus plenius veritatem et ideo vobis mandamus quod ad certos diem et locum [*etc. ut*

supra]: et tu, prefate vicecomes, ad certos dies et loca quos vos et duo vestrum tibi scire facietis venire facias coram vobis vel duobus vestrum tot et tales probos et legales homines de balliva tua tam infra libertates quam extra per quos rei veritas in premissis melius sciri poterit et inquiri. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium xij (*sic*) Maii anno regni nostri tricesimo septimo.

Inquisicio de qua [in] brevi predicto fit mencio sequitur in hec verba: Inquisicio capta apud Swathelyng iuxta Mannesbrigg' die Sabbati proxima post festum sancte Trinitatis anno regni regis Edwardi tercii post conquestum tricesimo septimo coram Willelmo de Haywode Thome de Hampton' vicecomite Sutht' et Thoma Warner assignatis ad inquirendum per breve domini regis huic inquisicioni consutum si pons de Mannesbrigg' dirutus est et contractus et quis vel qui qua de causa qualiter et quo modo reparare et sustentare dictum pontem ex debito teneantur per sacramentum Ricardi de Wynton'¹ . . . , qui dicunt super sacramentum suum quod abbas de Lettle qui modo tenet manerium de Tounhull' tenetur de iure reparare et sustentare predictum pontem de Mannesbrigg' et quod ipse et predecessores sui et omnes alii qui tenuerunt dictum manerium a tempore quo non extat memoria predictum pontem reparare et sustentare tenebantur et de iure solebant absque aliquo auxilio patrie seu villatarum adiacencium et dicunt quod solum ex utraque parte dicti pontis est solum dicti abbatis et parcella dicti manerii et eciam quod dictus abbas percipit proficuum aque ibidem annexe ex utraque parte dicti pontis et aisiammentum cariagii ultra predictum pontem pro maiori parte et predecessores sui et omnes alii qui manerium predictum tenuerunt proficuum et aisiammentum predicta percipere et pontem predictum reparare solebant ut supradictum est. In cuius rei testimonium predicti iuratores huic inquisicioni sigilla sua apposuerunt. Datum die loco et anno supradictis.

Per quod preceptum est vicecomiti quod venire faciat predictum abbatem de Lettle quod sit coram domino rege a die sancti Michaelis in unum mensem ubicumque etc.

Postea scilicet in octabis sancti Hillarii anno regni regis nunc tricesimo octavo coram domino rege apud Westmonasterium venit predictus abbas in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare predictum pontem de Mannesbrigg' reparare et sustentare non debeat: qui dicit quod alias scilicet termino sancti Michaelis anno regni domini regis nunc undecimo apud Cantuariam

¹ The names of eleven other jurors are given.

coram domino rege consideratum fuit quod homines villatarum de Aldyngton' Bottele [*etc. ut supra*] et Henricus Imberd' et tenentes sui de Rudbrigg' predictum pontem repararent et sumptibus suis sustentarent super quodam processu per breve regis de scire facias coram ipso rege habitum virtute cuiusdam presentacionis de reparacionis [*sic*] pontis illius de mandato regis coram Iohanne de Scures Iohanne de Hampton' et Iohanne de Tiryngham iusticiariis regis capte et coram ipso rege misse terminande : quam quidem consideracionem domini regis per literas suas patentes exemplificavit : quas quidem literas idem abbas profert hic in curia premissa testificantes in hec verba : Edwardus [*etc. ut supra*] omnibus ad quos presentes litere pervenerint salutem. Recordum et processum coram nobis in cancellaria nostra de mandato nostro missa inspeximus in hec verba : Cum per inquisicionem nuper de mandato regis coram dilectis et fidelibus suis Iohanne de Scurus Iohanne de Hampton' et Iohanne de Tiryngham captam sit compertum quod pons de Mannesbrigg' dirutus est et confractus per defectum et negligenciam hominum villatarum de Aldynton' Bottele [*etc. ut supra*] et Henrici Imberd et tenencium suorum de Rudbrigg' qui pontem illum reparare et sustentare tenentur ad dampnum et periculum hominum per pontem illum transeuncium et quod ipsi homines et antecessores sui semper hactenus pontem illum communiter sumptibus suis reparare et sustentare consueverunt sicut regi constat per inquisicionem predictam in cancellaria regis retornatam quam coram eo venire fecit, rex volens tam pro statu suo quam populi sui parcium illarum huiusmodi dampno et periculis precavere precepit vicecomiti comitatus predicti quod non omitteret propter libertatem de Rudbrigg' quin per probos et legales homines de comitatu suo scire faceret predictis hominibus villatarum de Aldyngton Bottele [*etc. ut supra*] et eciam Henrico Imberd et tenentibus suis de Rudbrigg' quod essent coram rege ad hunc diem scilicet in octabis sancti Michaelis ubicumque etc. ostensuri si quid pro se haberent vel dicere scirent quare ipsi distringi non deberent ad predictum pontem reparandum secundum legem et consuetudinem regni sui si sibi viderint expedire etc. : et vicecomes retornavit quod scire fecit Henrico de Lyoun decennario villate de Aldyngton' Ricardo Estmond Rogero Antony et aliis hominibus eiusdem villate Willelmo atte Holme decennario villate de Bottele Iohanni Atteerouche Iohanni de Pokebrouk' et aliis hominibus eiusdem villate Iohanni Mourcok' decennario villate de Wolveston' Iohanni le White et aliis hominibus eiusdem villate Simoni atte Moure decennario villate de Shirle Iohanni Bruston' seniori Ricardo Brond et aliis hominibus eiusdem villate Iohanni Meriet decennario villate de Sydefford Simoni Ioye et Rogero Thurbern'

et aliis hominibus eiusdem villate Iohanni de Stepbur' decennario villate de Cheleworth' Iohanni Attehasele et Hugoni Wellehed et aliis hominibus eiusdem villate Iohanni Baldry decennario villate de Stonham Ricardo atte Moure Simoni de Berle et aliis hominibus eiusdem villate Willelmo le Maryner decennario villate de Estele Henrico le Brewer Thome de Northwode et aliis hominibus eiusdem villate Henrico Imberd' Rogero Stephene Thome Bux Willelmo Bugge Rogero Scot et aliis tenentibus predicti Henrici Imberd' de Rudbrigg' quod essent coram rege ad prefatas octabas sancti Michaelis iuxta tenorem brevis etc. per Willelmum le Warner et Iohannem le Palmere: et predicti homines villatarum predictarum et similiter predictus Henricus Imberd et tenentes sui premoniti modo non venerunt etc. per quod preceptum est vicecomiti quod distringat eos per omnes terras et catalla sua in balliva etc. ad pontem predictum reparandum et sustentandum sicut ipsi et antecessores sui illum reparare et sustentare solebant etc. temporibus retroactis etc. Nos autem recordum et processum predicta ad requisicionem abbatis de Letle duximus exemplificandum. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium xx die Aprilis anno regni nostri Anglie vicesimo septimo regni vero nostri Francie quarto-decimo. Et sic dicit idem abbas quod predicti homines villatarum predictarum et similiter predictus Henricus Imberd et tenentes sui et omnes antecessores sui semper hactenus a tempore quo non extat memoria pontem predictum reparare et sustentare tenebantur et ad huc tenentur absque hoc quod idem abbas seu predecessores sui seu aliqui alii qui predictum manerium de Tounhill' tenuerunt a tempore quo non extat memoria pontem predictum reparare seu sustentare consueverunt seu de iure tenentur prout per presentacionem predictam supponitur: et hoc paratus est verificare per patriam etc.: et petit breve tam de venire faciendo homines villatarum predictarum et predictum Henricum Imberd et tenentes suos etc. quam xxiiij etc. Et Ricardus de Fryseby qui sequitur pro domino rege dicit quod predictus abbas qui modo tenet predictum manerium de Tounhill' pontem predictum de iure reparare et sustentare tenetur et quod ipse et predecessores sui et omnes alii qui manerium predictum tenuerunt pontem predictum a tempore quo non extat memoria reparare et sustentare tenebantur et de iure solebant prout per presentacionem predictam supponitur et hoc pro domino rege offert verificare: et predictus abbas similiter. Ideo veniat inde iurata coram domino rege in octabis Purificacionis beate Marie ubicumque etc.

Ad quem diem coram domino rege apud Westmonasterium

venerunt tam Ricardus de Friseby qui sequitur etc. quam predictus abbas de Lettele per attornatum suum predictum etc. et iuratores non venerunt etc. Ideo predicta iurata ponitur in respectum coram domino rege usque a die Pasche in xv dies ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignatis prius die sabbati proxima ante festum sancti Petri in Cathedra apud Wyntoniam per formam statuti etc. venerint pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora etc. : et preceptum est vicecomiti quod distingat homines villatarum de Aldyngton' Bottele [*etc. ut supra*] ac etiam Henricum Imberd et tenentes suos de Rudbrigg' per omnes terras etc. et quod de exitibus etc. et quod habeat corpora eorum coram domino rege ad prefatum terminum etc. vel coram prefatis iusticiariis etc. si prius ibidem venerint etc. ad audiendum iurata illam et ulterius ad faciendum et recipiendum etc. Ad quem diem coram domino rege apud Norwycum venit abbas de Lettele per attornatum suum predictum et Iohannes de Moubray et socii sui iusticiarii regis ad assisas etc. miserunt coram domino rege hoc veredictum iurate predictae in hec verba :

Postea die et loco infracontentis coram Iohanne de Moubray et Edmundo de Chelrege iusticiariis domini regis ad assisas per formam statuti etc. venerunt predictus abbas per attornatum suum et homines villatarum predictarum preter homines ville de Wolveston' venerunt et homines ville de Wolveston' et tenentes Henrici Imberd licet solempniter exacti non venerunt; et de predicto Henrico mandavit vicecomes quod mortuus est : et similiter iuratores venerunt, qui ad hoc tam ex consensu Michaelis Skillyng' et hominum villatarum predictarum qui sequuntur tam pro domino rege quam pro se ipsis quam ex consensu predicti abbatis electi triati et iurati dicunt super sacramentum suum quod predictus abbas qui manerium predictum de Tounhill modo tenet et similiter omnes predecessores sui tenentes manerii predicti pontem predictum de iure reparare et sustentare tenentur quia dicunt quod omnia tenentes manerii predicti tam comites Oxonie nuper tenentes manerii predicti antequam devenit in manus predicti abbatis sive predecessorum suorum tempore quo manerium predictum tenuerant quam predecessores predicti nunc abbatis tenentes manerii predicti a tempore quo non extat memoria ratione tenure manerii predicti pontem illum reparare et sustentare solebant et de iure ratione predicta tenebantur et quod predicti homines villatarum de Bottele Aldyngton' Wolveston' Shirle Sydeford' Cheleworth Stonham et Estele ac etiam Henricus Imberd'

et tenentes sui predicti de Rudbrugge de reparacione et sustentacione pontis predicti eant inde sine die et quod predictus abbas et successores sui tenentes manerii predicti tempore quo manerium predictum tenuerunt et tenebant racione tenure eiusdem ad dictum pontem reparandum et sustentandum distringantur quociens necesse fuerit etc. Et preceptum est vicecomiti Sutht' quod distringat predictum abbatem et successores etc. per omnes terras etc. ita quod idem abbas et successores sui pontem predictum reparent et sustentent quociens necesse fuerit etc. et similiter preceptum est vicecomiti quod de distringendo predictos homines villatarum predictarum ac Henricum Imberd' et tenentes suos predictos occasione predicta omnino supersedeat etc.

3. Ancient Indictments File 108 m. 29.

Hundredum de Masbrugge.

Sutht'. Iuratores presentant . . . quod alta via que vocatur Tounhilleslane inter Mannesbrugge et Bygstaple est ruinoso et submersa pro defectu mundaionis fossatorum ex utraque parte vie predictae que quidem fossata abbas de Nettele¹ de iure tenetur mundare fossas predictas tociens quociens necesse fuerit et non mundantur per quod nullus per viam predictam tempore yemali transire potest sine timore mortis ad grave nocumentum omnium hominum ibidem transeuncium.

The commission on pp. 174, 175 does not appear to be enrolled on the Patent Rolls and there is an error in the Teste clause, as the king was not at Stirling at this date but at Knaresborough.²

The manor of Townhill or Mainsbridge passed by grant from the Veres to Netley abbey in 1329.³

LXXXII.

ROADS NEAR NORTH STONEHAM.

1. Presentment [*circa* 49 Edw. III.] by a jury of Alresford hundred that Andrew Peverel, knight, holds the manor of Barton and ought to repair Bertoneslane there, which has been out of repair for seven years past.

2. Presentment [*circa* 14 Ric. II.] by a jury of Mansbridge hundred that the high road called Peverelleswey between Stoneham and Otterbourne is flooded in winter so that none can pass without danger of drowning by default of the abbot of Waverley to clean the ditches on either side thereof by reason of his tenure of lands on either side of the said road.

¹ *Cognovit* is written over this word. ² See *Calendar of Patent Rolls* for date.

³ *Victoria County History*, iii. 483.

1. Ancient Indictments File 107 m. 1.

Allersford'.

Ricardus Bukelond et socii sui presentant quod Andreas Peverel miles tenetur reparare unam viam in Berton' Peverel vocatam Bertoneslane . . . reparanda: idem Andreas tenet manerium de Berton' cum pertinenciis et non facit et sic extitit irreparata per septem . . . ultimo preteritos ad grave nocumentum pretereuncium.¹

2. Ancient Indictments File 108 m. 29.

Hundredum de Masbrigge.

Suth'. Iuratores presentant . . . quod alta via que vocatur Peverelleswey inter Stonham et Oterborne est ruinosam et dimersam toto tempore yemali ita quod nullus ibidem transire potest sine periculo submersionis ob defectum mundacionis fossatorum ex utraque parte vie predictae que quidem via (*sic*) abbas de Waverle² pro certis terris que (*sic*) tenet ex utraque parte vie predictae viam predictam tenetur facere et fossas predictas mundare tociens quociens necesse fuerit et non facit ad grave nocumentum omnium hominum ibidem transeuncium.

The date of the former of these presentments is fixed by the death of Andrew Peverel in 49 Edw. III.³ and by the fact that other documents in the same file belong approximately to that year.

The land which the abbot of Waverley held was Boyatt⁴ on the borders of Otterbourne and North Stoneham between the two modern roads from Winchester to Southampton and close to the line of the old Roman road between those cities.

LXXXIII.

ROADS AND BRIDGES AT WINCHESTER.

1. Presentment [*circa* 50 Edw. III.] by jurors of Winchester that whereas the mayor and community of the said city had from time immemorial a path from Chepyngplace to Kyngesgate past a certain chapel and a building called Bruerne within St. Swithin's abbey and through the said abbey, and afterwards by an arrangement between the said mayor and community and the prior and convent of the said abbey the way from the said Chepyngplace to the said Kyngesgate was diverted so as to pass by the cloister of the said abbey,

¹ This membrane (and many others on this file) is in a very mutilated condition.

² *Cognovit* is written over the name.

³ *Calendar of Close Rolls, 1374-1377*, p. 128.

⁴ *Victoria County History*, iii. 442.

the said mayor and community and the citizens were hindered from using either of the said two ways.

2. Presentment [*circa* 50 Edw. III.] by jurors of the soke of Winchester that Nicholas Parys of the said soke took three water mills from William Wykham, bishop of Winchester, to farm, wherefore he ought to repair two bridges on the Millelond in the said soke, which are destroyed by his default.

3. Presentments [*circa* 14 Ric. II.] by jurors of the said soke that a bridge called Bulbrigg' between Easton field and the chapel of St. Audrey is broken and removed and that the abbot of Hyde ought to repair it: and that the common road at Vale without the North-gate leading towards Newbury is flooded by default of the prior of St. Swithin, Winchester, who ought to clean one of the ditches there.

1. Ancient Indictments File 107 m. 8 and 7.¹

Civitas Wyntonie.

Iuratores presentant . . . quod ubi maior et communitas civitatis Wyntonie a tempore quo memoria non . . . infra civitatem predictam a quodam loco vocato Chepyngplace usque portam civitatis . . . eundo a predicto loco vocato Chepyngplace usque ad quandam capellam vocatam . . . cimiterium abbacie sancti Swythini Wyntonie includebatur que quidem capella . . . et de predicta capella usque ad quandam domum vocatam Breuerne infra abbathiam predictam . . . domo per medium abbathie predictae infra civitatem predictam videlicet ubi domus officiorum . . . predictum locum vocatum Kyngesgate et postmodum maior et communitas civitatis predictae pro . . . ecclesie sancti Swithini et eiusdem loci conventum qui dudum erant pro maiori aisiamento . . . communitatis quam predictorum prioris et conventus iidem maior et communitas habuerunt aliam . . . a predicto loco vocato Chepyngplace usque ad ecclesiam abbathie predictae infra eandem abbathiam . . . claustrum eiusdem abbathie et de eodem claustro per quandam viam subtus le . . . prioris infra abbathiam predictam et deinde usque predictam portam vocatam Kyngesgate . . . maior et communitas et cives civitatis predictae et alii per vias illas transire volentes . . . non extat memoria videlicet de predicta prima via ante compositionem predictam et post . . . secunda via causa escambii predicti pacifice usque duos annos proximo preteritos quidam . . . loci predicti et eiusdem loci conventus prefatos maiorem communitatem et cives civitatis . . . de alia modo impediunt et ipsos per eandem viam transire omnino desturbant ad . . . Wyntonie etc.

¹ These two membranes have been filed in reverse order.

2. Ancient Indictments File 107 m. 14.

Soka Wyntonie.

Iuratores presentant quod Nicholaus Parys de soka Wyntonie cepit de Willelmo Wykham [episcopo Wyntoniensi tres molendinos aquaticos] ad firmam eo quod reparare deberet duos pontes super la Millelond in [soka predicta qui quidem pontes sunt diruti et] nocivi omnibus ibidem transeuntibus ob defectum ipsius Nicholai.¹

3. Ancient Indictments File 108 m. 30.

Soka Wyntonie.

Iuratores presentant quod quidam pons vocatus Bulbrigg' inter campum de Eston' et capellum (*sic*) sancte Audrey virginis diruptus est et totaliter ammotus ad grave nocumentum tocius patrie ibidem transeuntis et dicunt quod abbas de Hyda tenetur illum reparare de iure et sustentare.

Item presentant quod communis via apud Vale extra Northgate Wyntonie ducens versus Newbury inundatur ob defectum mundacionis unius fossati prioris sancti Swythini Wyntonie ibidem per quod homines patrie ibidem transire non possunt ad grave nocumentum tocius populi.

The 'bruern' was the priory brewhouse,² which was situated on the left side of Colebrook Street going towards High Street. The chapel was probably the chapel of the Holy Trinity, which was close at hand in High Street.³

The places named in the last of these documents lay to the north and north-west of Winchester.

LXXXIV.

ROADS AND WATERCOURSE NEAR MEONSTOKE.

1. Presentments by jurors of the hundred of Meonstoke on Monday next after Michaelmas, 1376.

(1) That John Dossh' of Meonstoke and Simon le Vyle and the township of Meonstoke stopped the king's road called Loderesweye there, whereby there was a passage for footmen and horsemen, with hedges and other enclosures to the damage of the whole country of 20s. and have continued the said obstruction to the present time.

(2) That John Shamelere of Drayton diverted a watercourse at Cornhampton called Meon whereby the meadows of John le Vyle and Joan Philipot

¹ The enrolment of the proceedings upon this presentment is on the *Coram Rege Roll*. Trin. 51 Edw. III. rex 13 *d.*, whence the words in square brackets have been supplied. Nicholas Parys acknowledged his liability and was amerced 12 *d.*

² *N.E. Dictionary*, s.v. Brewern.

³ Map in Milner's *History of Winchester*.

of Meonstoke are flooded to the damage of the community of Meonstoke aforesaid.

(3) That Hugh, prior of St. Swithin's, Winchester, by reason of his tenure of lands in West Meon is bound to repair a ditch between West Meon and Warnford and that by his default therein continued to the present time the king's road there is flooded.

2. Presentment [*circa* 14 Ric. II.] by jurors of the said hundred that there was from time immemorial a way for footmen and horsemen from Soberton to Middlington by Personescroft, which is stopped there by force of arms and against the peace by William son of Richard Darell'.

1. Ancient Indictments File 107 m. 9.

Hundredum de Munestok'.

Iohannes Lomere et alii presentant quod Iohannes Dossh' de Mundestok' et Simon le [Vyle et tota villata de] Munestok' die Lune proxima post festum sancti Michaelis anno regni regis nunc Anglie [quingagesimo cum sepibus] et aliis clausuris obstuparunt et incluserunt quandam viam regiam a[pud Munestok'] vocatam Loderesweye per quam omnes homines tam illius patrie quam extranei [tam equites quam pedestres] transitum habere solebant ad nocumentum tocius patrie xx librarum et [illam obstupacionem continuarunt] usque nunc.¹

Item presentant quod Iohannes Shamelere de Drayton² die Lune proxima post festum . . . supradicto apud Cornampton' divertit cursum aque vocate Mun . . . pratum Iohannis le Vyle de Munestok' et Iohanne Philipot' de Munestok' . . . ville inundate sunt et submerse ad dampnum communitatis predictae. . . .

Item presentant quod Hugo prior sancti Swythini civitatis Wyntonie et . . . villa de Westmune cum pertinenciis pro quo tenetur mundare unum fossatum . . . inter Westmune et Warneford' et non facit ob cuius defectum . . . inundat regiam viam ibidem ad nocumentum tocius populi . . . in eius defectu continuatur usque nunc.

2. Ancient Indictments File 108 m. 8.

Hundredum de Menestok'.

Suthl'. Iuratores presentant . . . quod est quedam via pedestralis et equestralis a tempore quo non extat memoria a villa de Suberton'

¹ The enrolment of the proceedings upon this presentment is on the *Coram Rege Roll*, Trin. 51 Edw. III. rex 13, whence the words in square brackets have been supplied. The township acknowledged liability and was amerced half a mark.

² *Cognovit* is written above the name.

usque ad villam de Mydelynton' per medium crofti qui vocatur Persons-croft in parochia de Droxford. Ibidem predicta via obstupatur per Willelmum filium Ricardi Darell' ad grave nocumentum tocius populi ibidem transeuncium vi et armis et contra pacem domini regis.

LXXXV.

ROAD AT MEDSTED.

Presentment in Trinity term, 1377, at Winchester that William Trottere and Thomas Deen of Medsted by reason of their tenure of twelve acres of land in Medsted fields ought to repair a road called Preweslane in Medsted, which they have not done for three years past.

Precept to the sheriff.

On the quinzaine of Easter, 1378, the said William and John came before the king at Westminster and acknowledged their liability and past default and were each amerced 1s.

Coram Rege Roll, Easter, 1 Richard II. rex 3d.

Suth'. Alias scilicet termino sancte Trinitatis anno regni regis domini Edwardi nuper regis Anglie avi domini regis nunc quinquagesimo primo coram ipso avo apud Wyntoniam extitit presentatum quod Willelmus Trottere de Medestede et Thomas Deen de Medestede tenent duodecim acras terre cum pertinenciis in campis de Medestede pro quibus tenentur reparare unam viam vocatam Preweslane in Medestede et non faciunt nec fecerunt per tres annos ultimo preteritos ad grave nocumentum pretereuncium.

Per quod preceptum fuit vicecomiti quod venire faceret eos ad respondendum etc.

Et modo scilicet a die Pasche in xv dies anno regni regis Ricardi secundi post conquestum primo coram ipso rege apud Westmonasterium venerunt predicti Willelmus et Thomas in propriis personis suis et quesitum est ab eis si quid pro se habeant vel dicere sciant quare ipsi viam predictam pro terris predictis quas ipsi sic tenent ibidem reparare non debeant: qui quidem Willelmus et Thomas dicunt separatim quod non possunt dedicere quin ipsi viam predictam pro terris predictis tocies quociens necesse fuerit reparare tenentur prout super ipsos presentatum est et quod tempore presentacionis predictae via predicta ruinosam fuit et non reparata. Ideo iidem Willelmus [et] Thomas in misericordia pro non reparacione predicta et afforatur per iusticiarios videlicet quilibet eorum ad xij denarios. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatos Willelmum et Thomam

per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predicti Willelmus et Thomas viam predictam ad plenum reparent tocians quociens necesse fuerit etc.

LXXXVI.

PATH AT PORTSEA.

Presentment by jurors of Portsmouth hundred that, whereas the men of Kingston, Fratton, Copner, Milton and Eastney have had from time immemorial a common pathway from their said hamlets to Portsea church within and through the manor of the abbot of Titchfield at Portsea, the said abbot on Monday, 5 December 1384, built a chamber with walls and other enclosures and thereby stopped the said path to the damage of the men of the said hamlets and of all of the parish of the church aforesaid.

Ancient Indictments File 108 m. 38.

Hundredum de Portesmouth'.

Iuratores presentant quod ubi homines hamelettarum (*sic*) de Kyngeston' Fredeton' Copenore Milton' et Estenay habent et a tempore quo non exstat memoria habuerunt unam communem semitam a hamelettis predictis usque ad ecclesiam de Porteshay infra et per medium manerii abbatis de Tychefeld' apud Porteshay predictus abbas die Lune proxima ante festum sancti Andree apostoli anno regni regis Ricardi secundi octavo quandam cameram cum muris et aliis claustris ibidem imposuit per quas tota semita obstupatur et impeditur ad grave nocumentum omnium hominum omnium hamelettorum predictorum et tocius parochie ecclesie prediete.

This presentment serves to correct the misleading statement ¹ that the town of Portsea took its present name in 1792: the meaning of the statement obviously is that the present town sprang up at that time. The church of Portsea is now represented by the large modern church of Kingston.²

¹ *Victoria County History*, iii. 191.

² *Ibid.* iii. 196.

HERTFORDSHIRE.

LXXXVII.

PATH NEAR ST. ALBANS.

Presentment by a jury of the liberty of St. Albans at St. Albans on 3 November 1354, that Joan Randulf of St. Albans and William Rymour vicar of Sandridge stopped a common path called Hondespath at the head of the said Joan's curtilage and after presentments at two leet days at St. Albans and after restoration of the path by order of the steward of St. Albans they again stopped it and so continue to do to the common harm.

Ancient Indictments File 38 m. 13 and 13d.

Libertas Sancti Albani et de Watfford'.

Inquisicio de libertate Sancti Albani capta coram rege apud Sanctum Albanum in crastino Animarum anno xxviiij dicit . . . quod Iohanna Randulf de Sancto Albano et dominus Willelmus Rymour vicarius de Sandrugge iniuste obstupant quandam communem semitam vocatam Hondespath' ad caput curtilagii dicte Iohanne ad commune nocumentum: que quidem obstupacio ad duos dies lete ville sancti Albani presentata fuit et preceptum fuit per senescallum Sancti Albani erigere et erecta fuit: et dicti Iohanna et Willelmus dictam semitam nichilominus reobstupant iniuste et adhuc obstupatam tenent ad commune nocumentum.

LXXXVIII.

GAOL AT HERTFORD.

Presentment by jurors of Hertford that the gaol there is out of repair so that prisoners often escape and that William de Ayett, imprisoned there for the death of Thomas de Welton in the year 1349, with other unknown prisoners broke the said gaol by night by reason of its weakness and the bad custody of Nicholas de Wourmele and that the whole gildable community of the county except the liberties of Hertford, St. Albans and Westminster ought to repair it.

Ancient Indictments File 38 m. 22.

Iuratores de Hertford' presentant quod gaola de Hertford' non est reparata sufficienter, propter quod latrones ibidem incarcerati sepius evaderunt ad dampnum regis etc.

Item dicunt quod Willelmus de Ayett miles ibidem incarceratus propter mortem Thome de Welton' anno regni regis Edwardi tercii a conquestu xxij et dictus Willelmus cum aliis ignotis ibidem incarceratis pro diversis feloniis contra pacem factis dictam prisonam noctanter fregit et evasit propter debilitatem dicte gaole et mala custodia Nicholai de Wourmele qui tunc temporis habuit custodiam dicte gaole.

Item dicunt per sacramentum quod est ad grave dampnum domini regis et totius comitatus Hertford' quod dicta gaola non est reparata: quam quidem gaolam tota communitas comitatus Hertford' de gildabilis (*sic*) de iure reparare tenetur exceptis libertatibus ville Hertford' Sancti Albani et abbatis Westmonasterii.

The prison at Hertford was of considerable importance at this period and was used for royal prisoners.¹ As it appears from the illustrative examples in the *N.E.D.* that liberties were in their essence not gildable, the phrase *exceptis libertatibus* would appear to be not strictly logical.

LXXXIX.

ROAD AND BRIDGES NEAR HITCHIN.

Presentments by jurors of Hitchin hundred in the year 1354:

(1) that Hugh Raison and John Feverel made a well in the king's road at Gosmere to the peril of persons passing thereby.

(2) that the prior of Hertford ought to repair a foot-bridge at Ickleford which is ruinous.

(3) that the abbess of Elstow ought to make a bridge for carts and horses at Hidemulle in the parish of Hitchin, which is broken and dangerous.

Ancient Indictments File 38 m. 23.

Hundredum de Hichen'.

Transgressio. Iuratores presentant quod Hugo Raison² et Iohannes Feverel² fecerunt puteum in regali via apud Gosemere ita quod nemo potest transire nisi in magno periculo anno regni regis nunc xxvij^o.

Transgressio. Item prior de Hertford' deberet facere pontem apud Ikelford' sufficientem pro hominibus ad pedem, que dirruta est et ruinosa ad nocumentum etc.

¹ Cussans, *Hertfordshire*, 'Hundred of Hertford,' p. 51.

² Above these names are the words *f f'*.

Transgressio. Item abbatisa de Elnestowe deberet facere pontem pro caretis transiendis et equis in parochia de Hicch' apud Hidemull' et frangitur ita quod nemo potest transire nisi in magno periculo ad magnum dampnum patrie etc.

Hide Mill is described in a survey of 1650 as lying between Altar Head [Oughton Head] and Welbury Hill.¹ It must therefore have lain to the north of Hitchin on the boundary of Ickleford and is certainly the Hyde Mill held by the abbess of Elstow and described in the *Victoria County History* under Ickleford.²

¹ *Victoria County History*, iii. 9.

² *Ibid.* iii. 23.

HUNTINGDONSHIRE.

XC.

TASDARDESBRIGGE.

Writ of error, dated 12 May 1366, and directed to the sheriff of Huntingdon upon the complaint of the abbot of Warden in regard to a presentment in the said sheriff's turn at Toseland as to the repair of the bridge called Tasdardesbrigg' returnable in the octaves of Trinity.

The aforesaid presentment by jurors of Toseland hundred at St. Neot's that the abbot of Warden does not repair the said bridge, which is broken, as he is bound to do of old time.

Precept to the sheriff.

On Monday, 15 June, the said abbot came before the king at Westminster by John de Sancto Neoto, his attorney, and said that neither he nor any of his predecessors ever repaired or were bound to repair the said bridge. Michael Skillyng, suitor for the king, said that he was so bound : and he and the said abbot sought the verdict of the country.

After postponements and upon a writ to the justices of the King's Bench and a writ of *nisi prius*, on the octaves of Hilary, 1370-1, at Westminster Thomas de Shardelowe, suitor for the king, and the said abbot, by his attorney, came before the king at Westminster, and Roger de Meres and John de Fencotes, justices of assize in the said county, sent the verdict of a jury to this effect : Afterwards on 4 December 1370, at Huntingdon, before the said justices the aforesaid abbot came by his attorney and likewise the jurors, who said that neither the said abbot nor any of his predecessors were ever bound to repair or ever repaired the aforesaid bridge. The said abbot went without a day ; and he craved and had a writ to the sheriff *de non molestando*.

Coram Rege Roll, Trin., 40 Edward III. rex 5.

Hunt'. Dominus rex mandavit vicecomiti Hunt' breve suum clausum in hec verba : Edwardus dei gracia rex Anglie dominus Hibernie et Aquitanie vicecomiti Hunt' salutem. Quia in quadam presentacione nuper facta coram te in turno tuo de Touleslond' super reparacione pontis vocati Tasdardesbrigg' error intervenit manifestus ad grave dampnum abbatis de Wardon' sicut ex puerela sua accepimus,

nos errorem si quis fuerit modo debito corrigi et plenam et scelerem (*sic*) iusticiam fieri volentes in hac parte tibi precipimus sicut alias tibi precepimus quod presentacionem predictam cum omnibus eam tangentibus nobis sub sigillo tuo distincte et aperte mittas et hoc breve ita quod eam habeamus in octabis Sancte Trinitatis ubicumque tunc fuerimus in Anglia ut ulterius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri fuerit faciendum: et habeas ibi hoc breve. Teste Iohanne Knyvet apud Westmonasterium xij die Maii anno regni nostri quadragesimo.

Presentacio de qua in brevi fit mencio sequitur in hec verba: *Turnus vicecomitis hundredi de Touleslond tentus apud villam de Sancto Neoto die Martis proxima post festum Ramispalmarum anno regni regis Edwardi tercii post conquestum quadragesimo*. Iuratores hundredi predicti scilicet Adam Wyndesore¹ . . . presentant quod abbas de Wardon' non emendat nec reparat quendam pontem vocatum Tasdardesbrigg' ut tenetur de antiquo, qui quidem pons confractus est et dirutus ad nocumentum hominum ibidem transeuncium. Per recorda de isto eodem anno.

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem ad ostendendum si quid pro se habeat vel dicere sciat quare predictum pontem reparare et emendare non debeat prout super ipsum presentatum est etc.

Et modo scilicet die Lune proxima post quindenam sancte Trinitatis isto eodem termino coram domino rege apud Westmonasterium venit predictus abbas per Iohannem de Sancto Neoto attornatum suum et quesitum est ab eo si quid etc. quare dictum pontem reparare et emendare non debet etc. si etc.: qui quidem abbas dicit quod ipse pontem predictum facere nec reparare tenetur nec quod ipse nec aliquis predecessorum suorum abbas loci predicti pontem predictum unquam reparavit nec dictum pontem reparare seu emendare tenebantur et de hoc ponit se super patriam etc. Et Michael Skillyng' qui sequitur pro domino rege etc. dicit quod predictus abbas non reparat nec emendat pontem predictum vocatum Tasdardesbrigg' [*etc. ut supra*] prout per presentacionem predictam supponitur et hoc pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancti Michaelis ubicumque etc. de visneto predicto per quos etc. et qui etc. ad recognoscendum etc. Idem dies datus est partibus etc.

Postea continuato inde processu coram domino rege per iuratas positas in respectum usque in octabis (*sic*) sancti Michaelis anno regni

¹ The names of eleven other jurors are given.

regis nunc quadragesimo quarto, ad quem diem coram domino rege apud Westmonasterium venerunt tam Thomas de Shardelowe qui sequitur pro domino rege quam predictus abbas per attornatum suum. Et super hoc dominus rex mandavit iusticiariis suis hic breve suum clausum in hec verba : Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Iohanni de Knyvet et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Mandamus vobis quod inquisitionem que est in loquela que coram nobis inter nos et abbatem de Wardon' de reparacione et emendacione pontis vocati Tastardesbrugge in comitatu Huntendon' restat capienda per aliquem iusticiariorum nostrorum secundum formam statuti inde editi et provisi capi demandetis. Teste me ipso apud Westmonasterium xx die Novembris anno regni nostri Anglie quadragesimo quarto regni vero nostri Francie tricesimo (*sic*) primo. Pretextu cuius brevis iurata inter dominum regem et abbatem de Wardon' ad recognoscendum etc. si idem abbas pontem vocatum Tastardesbrigge facere et reparare teneatur nec ne posita fuit in respectum coram domino rege usque ad hunc diem scilicet in octabas sancti Hillarii ubicumque etc. nisi iusticiarii regis ad assisas in comitatu predicto capiendas assignati prius die Mercurii proxima post festum sancti Andree apostoli apud Huntyngdon' venerint etc. ad faciendum etc.

Et modo scilicet ad predictas octabas sancti Hillarii coram domino rege apud Westmonasterium venerunt tam Thomas de Shardelowe qui sequitur pro domino rege quam abbas de Wardon' per attornatum suum et prefati iusticiarii ad assisas etc. tulerunt coram domino rege hic recordum veredicti coram eis habiti in hec verba :

Postea die et loco infracontentis coram Rogero de Meres et Iohanne de Fencotes iusticiariis regis ad assisas per formam statuti etc. venit abbas de Wardon' infranominatus per attornatum suum infracontentum : et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus abbas non tenetur facere reparare sive emendare pontem vocatum Tastardesbrigg' infranominatum ab antiquo nec ipse nec aliquis predecessorum suorum unquam pontem predictum fecerunt repararunt sive emendarunt nec pontem illum facere reparare aut emendare tenebantur prout per presentacionem predictam supponitur. Ideo consideratum est quod predictus abbas eat inde quietus salvo semper iure regis etc. si quod etc. Et predictus abbas petiit breve vicecomiti de non molestando ipsum occasione predicta et habet etc.

The name of this bridge seems to have disappeared but it was probably north of the river Kym and west of the Ouse, as the lands of Warden abbey in Huntingdonshire were situated there.¹ References to an early holder of land in the county called Tesard of Woodhurst are found in the feet of fines² and in the Ramsey Cartulary,³ but it is difficult to connect them in any way with the present entry. A long account of an arbitration as to bridges in this county near Huntingdon is contained in Fox's 'History of Godmanchester.'⁴

¹ Dugdale, *Monasticon*, v. 375.

² *Camb. Antiq. Soc.* xxxvii. Index.

³ *Chronicles and Memorials*, lxxix. Index.

⁴ P. 363.

KENT.

XCI.

BRIDGE NEAR PENSURST.

Presentment in Michaelmas term, 1337, that Henry de Cobham, of Randall, knight, used to repair Chafford bridge, which is the king's street between the lathes of Sutton and Aylesford for carts, horsemen, and footmen, and that Stephen and Thomas his sons hold lands and tenements by the said bridge whereby they ought to repair it, and that the said Thomas took away part of the old timber of the said bridge and made a bridge of other timber for horsemen and footmen only.

Precept to the sheriff.

Afterwards the said Stephen came not and Thomas came by his attorney and said that neither he nor his ancestors ever held lands whereby they were bound to repair the said bridge and that he himself never repaired it : when he saw the timber of the old bridge being borne away by the flow of the river he followed it and saved it, and with it and with other timber of his own he made the said bridge for horsemen and footmen, without removing any of the timber as it was laid upon him : and he put himself upon the country. A jury came and said that his ancestors had of old time two water mills near the said bridge, the one above, the other below it, and that carts, horsemen and footmen then passed conveniently by a ford where the bridge now is : afterwards the upper mill was destroyed and the flow of water made the ford deep and impassable and the said Henry, who held lands on either side of the said river, for his own advantage and because none could pass there, built the said bridge there 34 years ago at his own cost and of his alms : and when in the time of the said Stephen and Thomas the bridge was carried away, the said Thomas made another for horsemen and footmen only with the timber of the old bridge and with beams of his own. The jurors, being asked whether the said Stephen and Thomas ought to repair the said bridge, which the said Henry first built for his own advantage, by reason of their mills and lands there, said that they ought so to do and to restore the bridge to its former use for carts, horsemen, and footmen. The said Stephen and Thomas were to be distrained to repair the said bridge and to restore it to the state wherein it was in the time of the said Henry.

Coram Rege Roll, Mich., 11 Edward III. rex 41.

Kanc'. Iuratores diversorum lastorum presentaverunt quod Henricus de Cobeham de Rundale miles solebat facere et reparare quandam

pontem vocatum Chafforthbrigge que est regia strata inter lastum de Sutton' et lastum de Eylesford' pro carris et carectis equitibus et peditibus et quod Stephanus de Cobham miles et Thomas de Cobham filii et heredes predicti Henrici tenent terras et tenementa iuxta predictum pontem quorum pretexto predicti Stephanus et Thomas pontem predictum facere tenentur et quod predictus Thomas cepit partem veteris maeremii predicti pontis et asportavit et de alio maeremio fecit ibidem ~~quendam~~ pontem pro equitibus et peditibus tantum et non pro carris et carectis sicut antiquitus esse solebat, ad dampnum et nocumentum omnium ibidem transire volencium cum carris et carectis predictis etc.

Ideo preceptum est vicecomiti quod venire faciat eos etc.

Postea venit predictus Thomas per attornatum suum et predictus Stephanus non venit: et predictus Thomas dicit quod nec ipse nec antecessores sui aliquo tempore tenuerunt aliqua terras seu tenementa quorum pretexto ipse pontem illum reparare seu sustentare teneatur nec ipse aliquo tempore pontem illum reparavit et quoad asportacionem veteris maeremii pontis predicti dicit quod ipse percepit maeremium illud per fluxum et inundacionem in ripa predicta asportari et ipse de gracia sua secutus fuit maeremium illud et illud salvavit et postea de maeremio illo et altero maeremio de suo proprio fecit ibidem predictum pontem pro equitibus et peditibus absque hoc quod ipse aliquod maeremium abinde cepit et asportavit sicut ei imponitur: et de hoc ponit se super patriam. Ideo fiat inde iurata. Et iuratores ad hoc electi et triati dicunt super sacramentum suum quod antecessores predicti Henrici de Cobham ab antiquo habuerunt ibidem iuxta pontem predictum unum molendinum aquaticum superius citum et constructum et alium pontem¹ aquaticum deorsum ponte predicto et dicunt quod eo tempore carre et carecte equites et pedites transierunt satis apte et congrue in transitu ubi pons ille postea constructus erat; et postmodum predictum molendinum supra pontem illum constructum dirrutum erat et confractum et omnino deletum et post delecionem illam transitus predictus per fluxum aque predictae devenit ita profundus et nocivus quod carre et carecte equites et pedites ibidem transire nequiverunt sicut antiquitus ante delecionem molendini predicti transire solebant; et postea predictus Henricus qui tenuit terras suas ex utraque parte ripe predictae pro commodo suo proprio et pro eo quod non potuit aliquis ibidem transire construxit ibidem predictum pontem iam triginta quatuor annis elapsis sumptibus suis propriis de elemosina sua: qui quidem pons postea tempore predictorum Stephani et Thome per

¹ Rectius molendinum.

cretinam aque dirrutus fuit et asportatus: et predictus Thomas hoc percipiens de maeremio illo et de lignis suis propriis fecit ibidem predictum pontem pro equitibus et peditibus tantum. Et iuratores quesiti qualiter visum est eis ex quo predictus Henricus primo construxit ibidem predictum pontem pro commodo suo proprio racione molendinorum suorum predictorum et terrarum quas habuit ex utraque parte aque predictae si predicti Stephanus et Thomas filii et heredes etc. racione molendinorum et terrarum predictorum pontem illum reparare et sustentare teneantur, qui dicunt quod predicti Stephanus et Thomas racione terrarum et molendinorum predictorum reparare et sustentare tenentur pontem illum et in prestinum statum redigere sicut antiquitus esse solebat pro carris et carectis equitibus et peditibus etc. Per quod consideratum est quod tam predictus Stephanus qui modo non venit quam predictus Thomas distringantur ad pontem illum reparandum et sustentandum et in pristinum statum redigendum sicut predictus Henricus pro commodo suo proprio reparavit et sustentavit.

XCII.

BRIDGES NEAR HEADCORN.

1. Writ dated at Westminster, 23 May 1321, to the treasurer and chamberlains to search the rolls of John de Berewyk and his fellows, sometime justices in eyre in Kent, and to certify the king concerning a plea between the men of the hundreds of Eyhorne and Cranbrook as to the repair of Eyhorne bridge.

Record of a presentment before the said justices at Canterbury on the quinzaine of Easter, 1293, that Hawkenbury bridge was broken on the side of Eyhorne hundred and ought to be repaired by men of that hundred: whereupon a jury of that hundred said that at another time it was held by John de Cobham, sent by the king to enquire thereon, that as the men of Eyhorne hundred maintain one pile of Rochester bridge without any contribution from the deans of Wytheryndenn, Homersham, Maplehurst, Wytherynbroke, Thorneherst and Headcorn, the said deans ought to repair the broken part of Eyhorne bridge.

Precept to the sheriff.

Afterwards the men of the said deans came together with other tenants of the said hundred and said that they ought to repair half the said bridge with the men of the said hundred but not by themselves, and they and the other tenants put themselves on a jury of the hundreds of Barclay, Marden and Calehill: the jury said that the men of the said hundred together with the men of the said deans, the tenants of the prior of St. John of Jerusalem excepted, ought to repair the said moiety in common and ought also to repair Headcorn bridge, and the tenants of the said hundred were in mercy.

Afterwards the king was informed that the half of Hawkenbury bridge on the side of the said hundred was broken and ordered the sheriff to cause the men of the aforesaid deans and the other tenants of the said hundred as aforesaid to come before him at Westminster on the octave of Trinity, when they came not and the sheriff was ordered to take distress from them as security that the said half of the bridge should be repaired, and he was ordered to make a return on the octave of St. Michael and to cause the aforesaid men and tenants to appear on that date to shew cause why they should not repair Headcorn bridge which was broken.

2. Presentment in Hilary term, 1383-4, before the king at Newington that two bridges called Hawkenbury bridges were broken and ought to be repaired by the men of Eyhorne hundred.

Precept to the sheriff.

On Tuesday, 15 January 1386-7, the aforesaid men came by John de Bronston their attorney and said that there was at the aforesaid place a crossing built of five arches between the hundreds of Eyhorne and Cranbrook across the river Ree, the boundary of the said hundreds, whereof they were bound to repair half, namely two arches and a half on their side, and that those arches were in good repair, and they also said that there were not two bridges other than the said crossing: and they and Edmund Brudenell, suitor for the king, put themselves upon the country.

After postponements and upon a writ of *nisi prius* on the quinzaine of Michaelmas the said men came before the king at Westminster by their attorney, and John de Wadham and William Hankeford, justices of assize in Kent, brought the verdict of the jury to this effect: Afterwards on the quinzaine of St. John the Baptist at Rochester the men of the said hundred came and the jurors came and said that Hawkenbury bridges form one bridge of five arches and that the men of Eyhorne hundred are bound to repair the two arches and a half on their side and that those arches are broken, therefore they are amerced £5.

1. Coram Rege Roll, Easter, 13 Edward III. m. 31.

Per recordum de anno xiiij tempore patris etc.

Dominus rex mandavit thesaurario et camerariis suis breve suum clausum in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et dux Aquitanie thesaurario et camerariis suis salutem. Quia quibusdam certis de causis certiorari volumus super recordo et processu loquere que fuit coram Iohanne de Berewyk' et sociis suis dudum iusticiariis domini Edwardi regis patris nostri nuper itinerantibus in comitatu Kancie apud Cantuariam inter homines de hundredo de Eyhorn' et homines de hundredo de Cranebrok' de reparacione et sustentacione pontis de Eyhorn' in comitatu predicto, vobis mandamus quod scrutatis rotulis predicti Iohannis de itinere predicto qui sunt in thesauraria nostra sub custodia vestra ut dicitur recordum et processum

loquele predicte cum omnibus ea tangentibus nobis sub sigillo scaccarii nostri distincte et aperte sine dilacione mittatis et hoc breve. Teste me ipso apud Westmonasterium xxiiij die Maii anno regni nostri quarto decimo.

Recordum et processus loquele predicte sequitur in hec verba; *Placita corone coram Iohanne de Berewyk Thoma de Normanvill Willelmo de Beref Iohanne de Lythegreyns et Hugone de Cove iusticiariis itinerantibus apud Cantuariam in comitatu Kancie a die Pasche in xv dies anno regni regis Edwardi filii regis Henrici vicesimo primo. Hundredum de Cranebroke.* De pontibus dicunt quod pons de Hekynbery diruptus est ex parte hundredi de Eyhorne et quam partem homines eiusdem hundredi reparare debent: et iuratores hundredi de Eyhorn' veniunt et dicunt quod eadem pars eiusdem pontis alias dirupta fuit, propter quod dominus rex misit ibidem Iohannem de Cobeham ad inquirendum per quos predicta pars predicti pontis reparari debet et coram eo compertum fuit et consideratum quod, quia homines hundredi de Eyhorn' reparant et sustentant unam pilam pontis Roffe sumptibus suis et quod denne de Wytheryndenn' de Homershame de Mapelherst de Wytherynbrok' de Thorneherst et de Hedecrone que sunt in hundredo predicto nichil contribuerunt ad sustentacionem predicte pile, quod heedem (*sic*) denne reparare debent partem eiusdem pontis diruptam.

Ideo preceptum est vicecomiti quod venire faciat predictas dennas.

Postea venerunt homines predictarum dennarum, et alii tenentes hundredi de Eyhorn' et homines predictarum dennarum bene cognoverunt quod ipsi simul cum hominibus hundredi de Eyhorn' reparare debent medietatem eiusdem pontis et non ipsi per se ipsos et de hoc ponunt se super patriam videlicet iuratam hundredorum de Badekele Meredenn' et Calehull'; et alii tenentes hundredi de Eyhorn' similiter. Qui iuratores dicunt super sacramentum suum quod omnes tenentes hundredi de Eyhorn' cum hominibus predictarum dennarum debent reparare medietatem predicti pontis in communi exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in predictis dennis; et similiter dicunt quod omnes tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris sancti Iohannis Ierusalem in Anglia reparare debent pontem de Hedecrone cum necesse fuerit. Ideo preceptum est vicecomiti quod distringat predictos tenentes exceptis tenentibus predicti prioris ad reparandum predictum pontem quociens necesse fuerit etc.; et omnes tenentes hundredi de Eyhorn' in misericordia quia prius non reparaverunt etc.

Postea in curia domini regis hic pro eo quod ipsi domino regi datum fuit intelligi quod medietas pontis de Hokynbery ex parte predicti

hundredi de Eyhorn' diruptus fuit et confractus ad dampnum omnium transeuncium ibidem et periculum manifestum preceptum fuit vicecomiti Kancie quod per probos etc. scire faceret hominibus predictarum dennarum de Wytheryndenn' de Homersham de Mapelherst de Wytherynbrok' de Thorneherst et de Hedecrone et omnibus aliis tenentibus hundredi de Eyhorne exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in predictis dennis quod essent coram domino rege ad hunc diem scilicet in octabis Sancte Trinitatis ubicumque etc. ad ostendendum si quid pro se haberent vel dicere scirent quare ad reparacionem medietatis predicti pontis de Hokynbery ex parte predicti hundredi de Eyhorn' distringi non deberent si etc. et ulterius etc. Et vicecomes ad diem illum retornavit quod scire fecit hominibus dennarum de Wytherendenn' de Mapelherst de Wytherynbrok' de Thorneherst et de Hedecrone et omnibus tenentibus hundredi de Eyhorne exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in predictis dennis quod essent coram rege ad diem predictum iuxta tenorem brevis domini regis sibi inde directi per Willelmum atte Hyde et Iohannem Grubbe: qui quidem homines dennarum predictarum et tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in predictis dennis quarto die placiti solempniter vocati non venerunt. Ideo consideratum est quod predicti homines dennarum predictarum et eciam omnes tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in predictis dennis distringantur ad medietatem predictam pontis de Hokynbery ex parte hundredi de Eyhorn' reparandum et sustentandum etc. Et preceptum est vicecomiti quod distringat homines predictarum dennarum et eciam omnes tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia in dennis predictis per omnes terras etc. et quod de exitibus etc. ita quod reparant et sustentant medietatem predicti pontis de Hokynbery ex parte predicti hundredi de Eyhorn' quociens necesse fuerit: et qualiter etc. vicecomes scire faciat domino regi in octabis sancti Michaelis ubicumque etc. Et quia datum est regi intelligi quod predictus pons de Hedecrone similiter diruptus est et confractus ad dampnum omnium transeuncium ibidem etc. et superius coram prefatis Iohanne de Berewyk' et sociis suis iusticiariis etc. compertum est quod per iuratores presentatum fuit quod omnes tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem reparare debent pontem de Hedecrone quociens necesse fuerit etc., ideo preceptum est vicecomiti quod

venire faciat omnes tenentes predicti hundredi de Eyhorn' exceptis tenentibus prioris hospitalis sancti Iohannis Ierusalem in Anglia quod sint coram domino rege ad prefatum terminum ad ostendendum si quid pro se habeant vel dicere sciant quare ad predictum pontem de Hedecrone reparandum distringi non debeant etc.

2. Coram Rege Roll, Hil., 10 Richard II. rex 19.

Kanc'. Alias scilicet termino sancti Hillarii anno regni regis nunc septimo coram domino rege apud Newynton' extitit presentatum quod duo pontes vocati Hokynberybygges sunt diruti et contrafacti quod nullus parcium illarum ibidem transire possunt (*sic*) absque maximo periculo: quos quidem pontes homines hundredi de Eyhorn' tenentur reparare et a tempore quo non extat memoria reparare consueverunt.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret homines hundredi predicti ad respondendum etc.

Et modo scilicet die Martis proxima post quindenam sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venerunt homines hundredi predicti per Iohannem de Bronston' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare duos pontes predictos reparare non debeant, qui dicunt quod, ubi per presentacionem predictam supponitur quod hundredum de Eyhorn' predicto tenetur reparare duos pontes vocatos Hokynberybygges a tempore cuius contrarium memoria non existat (*sic*), dicunt quod apud Hokynberybygges predictos est quidam transitus constructus ex quinque arcibus et situatur in confinio duorum hundredorum videlicet Eyhorn' et Cranebroke ultra quandam ripam vocatam le Ree que est divisa dictorum duorum hundredorum, de quo quidem transitu homines hundredi de Eyhorn' tenentur reparare et emendare unam medietatem transitus predicti videlicet duos arcus et dimidium ex parte boriali versus hundredum de Eyhorn' tantum et hundredum de Cranbroke predicto alteram medietatem videlicet duos arcus et dimidium ex parte australi dicti hundredi¹ de Cranbroke, que quidem medietas versus partem borialem hundredi de Eyhorn' tempore presentacionis capte fuit sufficienter reparata, absque hoc quod sunt duo pontes vocati Hokynberybygges alii quam predictus transitus aut quod ipsi tenentur plus inde reparare preter medietatem predictam et hoc parati sunt verificare per patriam. Et Edmundus Brudenell' qui pro domino rege sequitur dicit quod Hokenberybygges sunt duo pontes et quod predicti homines hundredi de Eyhorn' predictos duos pontes tenentur reparare sicut super ipsos presentatum

¹ *Rectius versus dictum hundredum.*

est et quod pontes predicti tempore presentacionis capte diruti fuerunt et ad huc sunt et hoc pro domino rege offert verificare per patriam; et predicti homines de Eyhorn' similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc.

Postea continuato inde processu per iuratas positas in respectum coram domino rege usque in octabas sancti Iohannis Baptiste anno regni regis nunc undecimo, ad quem diem coram domino rege apud Westmonasterium venerunt homines hundredi predicti per attornatum suum predictum et vicecomes alias retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis ipsius regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque a die sancti Michaelis in xv dies ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignatis prius die Lune proxima post quindenam sancti Iohannis Baptiste apud Rouchestr' venerint pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatum diem et locum si etc. Idem dies datus est prefatis hominibus etc. Ad quem diem coram domino rege apud Westmonasterium venerunt predicti homines hundredi predicti per attornatum suum predictum et Iohannes de Wadham et Willelmus Hankeford' iusticiarii coram quibus etc. miserunt veredictum iurate predictae coram eis habite in hec verba :

Postea die et loco infracontentis coram Iohanne Wadham et Willelmo Hankeford' iusticiariis domini regis ad assisas in comitatu Kancie capiendas assignatis per formam statuti etc. venerunt homines hundredi de Eyhorne infranominati per attornatum suum infracontentum et, facta proclamacione prout moris est si quis pro domino rege iuratores iurate infracontente de infracontentis informare vellet, nullus ad hoc faciendum comparuit, super quo processum est ad capcionem iurate predictae et super hoc iuratores exacti venerunt qui ad veritatem de infracontentis dicendam electi triati et iurati dicunt super sacramentum suum quod Hokenberybrygges unde infra fit mencio est unus pons factus et constructus ex quinque arcibus et non duo pontes prout infra fit mencio et dicunt quod predicti homines hundredi de Eyhorne tenentur et a tempore quo non extat memoria tenebantur reparare et emendare medietatem eiusdem pontis videlicet duos arcus et dimidium scilicet ex parte boriali eiusdem pontis versus hundredum de Eyhorne et non plus et cum hoc dicunt quod duo arcus eiusdem pontis ex parte boriali versus Eyhorn' quos predicti homines hundredi de Eyhorne tenentur reparare sunt confracti et

dirupti in defectu eorundem hominum hundredi de Eyhorne etc. Ideo consideratum est quod predicti homines hundredi de Eyhorne de sustentacione et reparacione medietatis pontis predicti videlicet duorum arcuum et dimidii ex parte boriali tantum exnunc onerentur et quia predicti duo arcus et dimidius ex parte boriali quos predicti homines hundredi de Eyhorne tenentur reparare tempore presentacionis capte diruti et confracti fuerunt et adhuc existunt in defectu eorundem hominum hundredi de Eyhorne ideo predicti homines hundredi de Eyhorne in misericordia et afforatur per iusticiarios ad centum solidos. Et preceptum est vicecomiti quod non omittat etc. quin distringat prefatos homines hundredi de Eyhorne per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod medietas predicta videlicet duo arcus et dimidius ex parte boriali tantum ad plenum sustentetur et reparetur tocies quociens necesse fuerit etc.

The topography of these entries is not very clear. Apparently Eyhorne bridge is the same as Hawkenbury bridge to the west of Headcorn and Headcorn bridge is one of the bridges in the close vicinity of the village. Only one of the deans named—Maplehurst in Staplehurst—can readily be identified, but they are all probably in other hundreds than Eyhorne. Ree is the Celtic name for river and is obviously not the Rhee near Romney but the river Beult.¹ Hasted notes the liability of Tenham hundred to repair one arch of a bridge in Headcorn but he does not give his authority nor does he identify the bridge.²

XCIII.

ROCHESTER BRIDGE.

Writ of *certiorari*, dated 4 April 1340, ordering Roger de Suthewyk to send into chancery the record of an inquisition taken before him and John Frere de Strood concerning the repair of Rochester bridge.

Writ dated 1 May, directing Richard de Wylughby and the other justices of the King's Bench to proceed upon the said record.

Returns to the first named writ, dated 8 April 1340 :

(a) the commission dated 26 January 1331-2, directing the said Roger and John to take the said inquisition.

(b) the inquisition taken before the said Roger and John on Wednesday, 1 March 1340, whereby it was found that one pier, being the fifth part, of Rochester bridge was broken and that the towns of Wrotham, Maidstone, Wateringbury, Nettlestead, Oppeham, West Peckham, Mereworth, Leybourne, Ofham, Ditton and Westerham were severally liable for 6*s.*, 7*s.*, 7*s.*, 2*s.*, 2*s.*, 1*s.* 6*d.*, 2*s.*, 1*s.* 6*d.*, 6*d.*, 1*s.* and 4*s.*

Thereupon John de Lincoln, suitor for the king, said that the aforesaid

¹ See *Arch. Cantiana*, xiii. 268.

² v. 326 (small edition).

pier was broken and that the said towns were liable to repair it as aforesaid, and he sought a remedy therefor.

Precept to the sheriff, and writ of *distringas* upon the failure of the men of the said townships to appear in the month of Easter.

On 26 April both the said John de Lincoln and the men of the said towns (whose names are set out) came before the king at Westminster and all except the men of Westerham acknowledged their liability, and the men of the said town of Westerham said that they were not bound to make any contribution towards the repair of the said pier, as they were prepared to verify : John de Lincoln said they were so bound, as he was prepared to verify. After postponements, on the quinzaine of Michaelmas the said John came before the king at Westminster and the men of the said township came not, and William Scot, justice in eyre at Canterbury, brought the record of an inquisition taken before him and John Bray on Monday, 26 June, whereby it was found that the men of the said town were bound to contribute to the repair of the said pier and had always so contributed by reason of their lands and tenements in the said town. Therefore they were to be compelled to contribute to the repair of the said pier together with the other towns aforesaid.

Coram Rege Roll, Easter, 14 Edward III. m. 45.

Dominus rex mandavit breve suum clausum Rogero de Suthewyk in hec verba : Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilecto et fideli suo Rogero de Suthewyk salutem. Quia quibusdam certis de causis certiorari volumus de recordo et processu cuiusdam inquisitionis nuper capte coram vobis et dilecto et fideli nostro Iohanne Frere ad supervidendum defectus pontis de Roffa necnon ad inquirendum qui pontem illum reparare debent et sustentare assignatis per breve nostrum, vobis mandamus quod recordum et processum predictos cum omnibus ea tangentibus nobis in cancellariam nostram sub sigillo vestro distincte et aperte sine dilacione mittatis et hoc breve. Teste me ipso apud Westmonasterium quarto die Aprilis anno regni nostri Anglie quartodecimo regni vero nostri Francie primo.

Postea idem dominus rex mandavit quoddam aliud breve suum clausum iusticiariis hic in hec verba : Edwardus [*etc. ut supra*] dilectis et fidelibus suis Ricardo de Wylughby et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Recordum et processum cuiusdam inquisitionis nuper coram dilectis nostris Rogero de Suthewyk et Iohanne Frere ad supervidendum defectus pontis de Roffa necnon ad inquirendum qui pontem illum reparare debent et sustentare per breve nostrum assignatis capte, que coram nobis in cancellariam nostram certis de causis venire fecimus vobis mittimus sub pede sigilli nostri mandantes

quod; inspectis recordo et processu predictis et vocatis coram vobis quos fore videritis convocandos ulterius in hac parte cum celeritate qua poteritis consideratis periculis que per defectus reparacionis pontis predicti evenire poterunt, faciatis quod de iure et secundum legem et consuetudinem regni nostri fuerit faciendum. Teste me ipso apud Westmonasterium primo die Maii anno regni nostri Anglie quarto-decimo regni vero nostri Francie primo.

Tenor commissionis prefatis Rogero et Iohanni directe sequitur in hec verba : Edwardus dei gracia rex Anglie dominus Hibernie et dux Aquitanie dilectis et fidelibus suis Rogero de Suthewyk' et Iohanni Frere de Strod' salutem. Quia ex clamosa insinuacione populi nostri accepimus quod pons de Rotia in comitatu Kancie ultra aquam de Medeway pro defectu et negligencia quorundam hominum comitatus illius qui pontem illum reparare et sustentare tenentur adeo dirutus est et contractus quod hominibus in partibus illis commorantibus ac aliis per pontem illum transeuntibus dampna non modica et pericula ibidem retroactis temporibus evenerunt et maiora ibidem evenire futuris temporibus formidantur nisi super hoc celerius remedium apponatur, nos volentes huiusmodi dampnis et periculis precavere et in premissis remedium apponere oportunum assignavimus vos ad pontem illum et defectus eiusdem supervidendum et ad inquirendum per sacramentum proborum et legalium hominum de comitatu predicto tam infra libertates quam extra per quos rei veritas melius sciri poterit qui pontem illum reparare et sustentare tenentur et eum hactenus reparare et sustentare consueverunt et ad omnes illos quos ad reparacionem et sustentacionem eiusdem pontis per huiusmodi inquisitionem teneri inveneritis tam infra libertates quam extra coram vobis super premissis responsuros venire faciendos et ad eos distringendos ad dictum pontem reparacione et emendacione quibus indiget reparandum et sustentandum et ad negocium illud finaliter terminandum : et ideo vobis mandamus quod ad certos dies et loca quos ad hoc provideritis inquisitiones inde faciatis et premissa omnia et singula faciatis et expleatis in forma predicta. Mandavimus enim vicecomiti nostro comitatus predicti quod ad certos dies et loca quos ei scire facietis venire faceret coram eis [sic] tot et tales probos et legales homines de balliva sua tam infra libertates quam extra per quos rei veritas in premissis melius sciri poterit et inquire et quod vobis in premissis omnibus et singulis faciendis et exequendis pareat et intendant. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium xxvj die Ianuarii anno regni nostri sexto.

Tenor inquisitionis predictae coram prefatis Rogero de Suthewyk'

et Iohanne Frere capte sequitur in hec verba: *Recordum inquisitionis capte coram Rogero de Suthewyk' et Iohanne Frere de defectibus pontis Roffe in comitatu Kancie.* Dominus rex mandavit Rogero de Suthewyk breve suum huic recordo consutum virtute cuius mandati idem Rogerus recordum et processum inquisitionis capte hic mittit in forma que sequitur. Inquisicio capta apud Roffam die Mercurii proxima ante primam dominicam Quadragesime anno regni regis Edwardi tercii a conquestu quartodecimo coram Rogero de Southwyk' et Iohanne Frere de Strod' seniore ad pontem Roffe ultra aquam de Medeweie in comitatu Kancie supervidendum et defectus eiusdem et eciam ad inquirendum per sacramentum proborum et legalium hominum qui pontem illum reparare et sustentare tenentur et eum haecenus reparare et sustentare consueverunt et ad quedam alia inquirenda et facienda iuxta commissionem domini regis eis inde directam assignatis per sacramentum Elie Chaunceler¹ . . . qui dicunt super sacramentum suum quod quinta pera pontis Roffe, quam peram villa de Wroteham pro sex sullyng' villa de Maydenstane pro septem sullyng' villa de Woteryngbery pro septem sullyng' villa de Netlestede pro duobus sullyng' villa de Oppeham pro duobus sullyng' villa de Westpecham pro uno sullyng' et dimidio villa de Mereworth' pro duobus sullyng' villa de Leybourn' pro uno sullyng' et dimidio villa de Offeham pro dimidio sullyng' villa de Dictone pro uno sullyng' et villa de Westreham pro quatuor sullyng' debent et solent reparare et sustentare et a tempore cuius contrarii memoria non existit reparare et sustentare consueverunt, ob defectum predictarum villarum est diruta et confracta ita quod nullus potest per predictum pontem transire in preiudicium domini regis et grave dampnum hominum dictum pontem transeuncium. Data apud Roffam viij die Aprilis anno supradicto.

Et super hoc Iohannes de Lincoln' qui sequitur pro domino rege dicit quod predicta pera est ita diruta et confracta quod nullus ob defectum predictarum villarum de Wroteham [*etc. ut supra*], que ad reparacionem et sustentacionem illius pere tenentur sicut per predictam inquisitionem est compertum, pontem illum transire potest in preiudicium domini regis et grave dampnum hominum parcium illarum et aliorum ibidem transire volencium et tam pro domino rege quam pro aliis de regno ibidem transeuntibus petit remedium oportunum et iusticie complementum in hac parte fieri etc.

Ideo preceptum est vicecomiti quod venire faciat coram domino rege a die Pasche in unum mensem ubicumque etc. homines pre-

¹ The names of eleven other jurors are given.

dictarum villarum de Wrotheham [*etc. ut supra*] ad ostendendum si quid *etc.* quare peram illam reparare et sustentare non debeant et ulterius *etc.*

Ad quem diem vicecomes retornavit certa nomina hominum singillatim de singulis villis predictis et quia homines illi non venerunt preceptum est vicecomiti quod distringat eos per omnes terras *etc.* et quod de exitibus *etc.* et quod habeat corpora eorum coram domino rege in crastino Ascensionis Domini ubicumque *etc.* ad ostendendum si quid pro se habeant vel dicere sciant quare peram predictam reparare et sustentare non debeant *etc.*

Et modo veniunt coram domino rege tam predictus Iohannes de Lincoln' qui sequitur pro domino rege quam Thomas le Hore Iohannes Farman Iohannes de Pecham et Willelmus de Croulonde homines ville de Wrotham Iacobus de Gillyngham Iohannes le Vaus Alexander de Boklond' Hamo Gold et Nicholaus de Lose homines ville de Maydenstan Thomas Pellican senior Thomas de Westbery Thomas Pellican iunior homines ville de Woteryngbury Martinus le Clerk' et Adam de Pympe homines ville de Netlestede Gilbertus Bakere Gilbertus Fromund Willelmus Fromund homines ville de Oppeham Ricardus de Totesham Iohannes de Totesham homines ville de Westpecham Radulfus Godyn unus hominum ville de Mereworth' Bartholomeus Ruffyn Warinus de Crudhope homines ville de Leybourn' Thomas Belost et Willelmus Sakary homines ville de Offeham Radulfus de Dicton' Thomas de Pecham homines ville de Dicton' Henricus Skynnere Iohannes Charman Iohannes Squyreye Iohannes de Cobeham de Westreham et Thomas Broun homines ville de Westreham et quesitum est ab eisdem hominibus villarum predictarum singillatim si quid pro se habeant vel dicere sciant quare ipsi ad reparacionem et sustentacionem predictae pere teneri non debent; qui quidem homines de singulis villis predictis preterquam homines ville de Westreham pro se et aliis hominibus earundem villarum singillatim dicunt quod ipsi nichil sciunt dicere quin ipsi ad reparacionem et sustentacionem eiusdem pere una cum hominibus predictae ville de Westreham teneantur, et predicti homines de Westreham pro se et aliis hominibus eiusdem ville dicunt quod ipsi non tenentur ad aliquam contribucionem faciendam simul cum aliis predictis villis pro reparacione et sustentacione pere predictae nec ipsi aliquam contribucionem pro reparacione et sustentacione eiusdem pere unquam fecerunt nec ipsi aliquas terras seu tenementa tenent in eadem villa ratione quorum ipsi ad reparacionem seu sustentacionem eiusdem pere teneantur et hoc parati sunt verificare *etc.* Et Iohannes de Lincoln' pro domino rege dicit quod homines predictae ville de Westreham

racione terrarum et tenementorum suorum que ipsi tenent in eadem villa tenentur ad contribucionem faciendam simul cum aliis villis predictis ad reparacionem et sustentacionem pere predictae et hoc paratus est pro domino rege verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. ad recognoscendum etc. quia tam etc.

Postea continuato hinc inde processu per iuratas positas in respectum usque a die Michaelis in xv dies proximo sequentes ubicumque etc. nisi W. Scot die Lune proxima post festum sancti Iacobi apud Cantuariam prius venerit etc. et modo venit coram domino rege predictus Iohannes de Lincoln' qui sequitur pro domino rege set predicti homines de Westreham non venerunt et predictus Willelmus Scot coram quo predicta inquisicio facta fuit talit' hic recordum veredicti inquisicionis predictae in hec verba :

Postea ad diem et locum infra contenta coram prefato Willelmo Scot associato sibi Iohanne Bray venit Thomas de Gyllyngham qui sequitur pro domino rege et predicti Henricus Skinnere Iohannes Charman Iohannes Squyre et Thomas Broun homines ville de Westreham non venerunt. Ideo capiatur iurata versus eos per eorum defaltam etc. Et predictus Iohannes de Cobeham de Westerham in propria persona sua venit et similiter iuratores venerunt qui dicunt super sacramentum suum quod homines predictae ville de Westreham racione terrarum et tenementorum suorum que ipsi tenent in eadem villa tenentur ad contribucionem faciendam simul cum aliis villis predictis ad reparacionem et sustentacionem pere predictae et contribucionem inde simul aliis villis predictis a toto tempore ut predictum est fecerunt. Ideo consideratum est quod predicti homines ville de Westreham distringantur ad contribucionem faciendam simul cum aliis villis predictis ad reparacionem et sustentacionem pere predictae sicut a toto tempore facere consueverunt etc.¹

The history of this important bridge has been set out at length by Hasted and others.² A wooden bridge, which was certainly in existence in the reign of Henry I. and has been assigned conjecturally to A.D. 960, gave place to a

¹ On *Coram Rege Roll*, Hil., 31 Edw. III. m. 82 and m. 82 d. are two enrolments in which Adam Carpenter and John Gybelot of West Peckham are attached to answer John Beauchamp and William Andrew respectively for forcible entry and removal of cattle at Hadlow. Carpenter and Gybelot plead that the cattle were taken as distress upon the refusal of the plaintiffs to contribute to the repair of Rochester bridge which they were bound to do by reason of their tenements in Hadlow held of the manor of West Peckham. Beauchamp and Andrew denied that any tenant of lands or tenements in Hadlow was liable to contribute to the repair of the said bridge. A day was given three weeks from Easter.

² Hasted, (small edition) iv. 77; *Archaeologia Cantiana*, vi. 45, 117, x. 212-240.

stone bridge in 1337 and stone was replaced by iron in 1856 A.D. During the first period it was again and again found to be defective, sometimes by stress of war, sometimes by storm and tempest, and sometimes owing to the lapse of time and the volume of traffic passing over it, so that the charge for its support, spread though it was over lands in a very large number of parishes, proved to be a real and recurring burden. The present document is illustrative of the last of these periods of decadence. In 1387 A.D. it was decided to build a new bridge, which was completed about 1392. Its administration was placed in the hands of elected bridge wardens, and although the burden was not altogether removed from the holders of the contributory lands, it was lightened owing to the acquisition by the Bridge Corporation of a number of other lands which were held in trust exclusively for the maintenance of this bridge.

XCIV.

DEPTFORD BRIDGE.

Presentment in Michaelmas term, 1358, before the king at Deptford that the bridge there is broken and that William de Chetwode, master of St. Laurence, London, ought to repair it by reason of his tenure of a mill there.

Precept to the sheriff.

On the octave of Hilary, 1358-9, the said master came in person before the king at Westminster and said that neither he nor any tenants of the said mill ever repaired the said bridge or ought to repair it: and Simon de Kegworth, suitor for the king, said that the said master and all who held the said mill ought to repair the said bridge as was presented, and he and the aforesaid master sought the verdict of the country; and the said master put Thomas de Shardelowe in his place.

After postponements, on the octave of St. John the Baptist, 1359, Richard de Friseby, suitor for the king, and the said master's attorney came before the king at Westminster, and a jury came and said that the aforesaid master and all his predecessors, tenants of the said mill, were bound by reason of their said tenure to repair the aforesaid bridge: and therefore the said master was in mercy.

Coram Rege Roll, Hil., 33 Edward III. rex 16.

Kanc. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis nunc Anglie tricesimo secundo coram domino rege apud Depford' presentaverunt quod pons de Depeford' dirratus est et contractus ad maximum nocumentum et dampnum tocius comitatus et omnium hominum ibidem transeuncium: quem pontem Willelmus de Chetwode magister sancti Laurencii London' de iure facere tenetur ratione cuiusdam molendini sui ibidem et omnes domini qui molendinum illud tenuerunt a toto tempore pontem illum fecerunt et reparaverunt quociens necesse erat.

Per quod preceptum fuit vicecomiti quod venire faceret predictum magistrum ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venit predictus magister in propria persona sua et allocutus est si quid pro se habeat vel dicere sciat quare pontem predictum facere et reparare non debeat sicut super ipsum presentatum est : dicit quod nec ipse nec aliqui domini qui molendinum predictum tenuerunt pontem predictum unquam de iure fecerunt seu reparaverunt nec quod ipse pontem illum de iure facere seu reparare tenetur et hoc paratus est verificare per patriam etc. Et Simon de Kegworth¹ qui sequitur pro domino rege dicit quod predictus magister pontem illum ratione molendini predicti de iure facere tenetur et quod omnes domini qui molendinum illud tenuerunt a toto tempore pontem illum fecerunt quociens necesse fuerit prout superius presentatum est et hoc pro domino rege offert verificare per patriam etc. : et predictus magister similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc. Et super hoc idem magister ponit loco suo Thomam de Shardelowe versus dominum regem in placito predicto etc.

Et continuato inde processu versus prefatum magistrum de die in diem et de termino in terminum per iuratas positas in respectum usque in octabās sancti Iohannis Baptiste anno regni regis nunc Anglie tricesimo quarto, ad quem diem coram domino rege apud Westmonasterium venerunt tam Ricardus de Friseby qui sequitur pro domino rege quam predictus magister per attornatum suum et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus Willelmus de Chetwode magister sancti Laurencii tenetur facere pontem predictum et illum reparare cum necesse fuerit et omnes predecessores predicti magistri ratione molendini sui ibidem de iure facere et reparare tenebantur et omnes domini qui molendinum predictum tenuerunt a tempore quo non extat memoria pontem predictum fecerunt. Ideo predictus Willelmus de Chetwode distringatur ad pontem predictum faciendum et reparandum etc. et predictus Willelmus in misericordia.

There is a stone bridge in Upper Deptford¹ over the Ravensbourne which occupies the site of an ancient wooden bridge. But as it is said to be repairable by the hundred of Blackheath, it cannot be certainly identified with the present bridge.

¹ Hasted (small edition), vol. i. p. 344 : Vincent, *Records of the Woolwich District*, p. 805.

XCV.

AYLESFORD BRIDGE.

Mandate to the sheriff of Kent dated 22 January, 1370-1, to send into the King's Bench on the octave of the Purification the record of a presentment made in the time of William de Apuldrefeld, late sheriff, at Larkfield concerning the repair of Aylesford bridge.

Record of the aforesaid presentment made on Friday, 11 October 1370, that the borrows of Aylesford and Preston ought to repair the said bridge, which is broken, without contribution from any others: wherefore they were amerced 6s. 8d. by the afferment of Richard Ismongere and John Lamberd.

On the said octave William Wolsy and Robert Rowe, borsholders of the said borrows, came before the king at Westminster in person and said that neither they nor any men of the said borrows were ever bound to repair the said bridge. Thomas de Shardelowe, suitor for the king, said that they were so bound, and he and the said borsholders and men sought the verdict of the country. A jury was appointed for the quinzaine of Easter and the said borsholders and men put in their place Stephen del Fall or Thomas de Whatton. After postponements, on 16 May, 1371, the said William and Robert came as aforesaid in person and the said borsholders and men by their attorney, and a jury came and said that neither the aforesaid borrows nor any men thereof were bound to repair the said bridge which had always been repaired by the alms of those crossing it. The court wished to be further advised and postponed judgment until the quinzaine of Trinity, when the said Robert and William came before the king at Winchester in person and the said men by their attorney, and it was held that the aforesaid borsholders and men go without a day.

Coram Rege Roll, Hil., 45 Edward III. rex 10d.

Kancia. Dominus rex mandavit vicecomiti Kancie breve suum clausum in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie vicecomiti Kancie salutem. Quia in quadam presentacione coram Willelmo de Apuldrefeld' nuper vicecomite comitatus predicti coram ipso in turno suo tento apud Larkfeld' facta de eo quod borgha de Eylesford' et borgha de Preston' pontem de Eylesford' qui dirutus est et confractus reparare tenentur et emendare necnon in recordo et processu inde habitis error intervenit manifestus ad grave dampnum ipsarum borgharum sicut ex querela sua accepimus, nos errorem si quis fuerit modo debito corrigi et eisdem borghis iusticiam in premissis fieri volentes tibi precipimus quod si ita est tunc presentacionem ac recordum et processum predicta cum omnibus ea tangentibus nobis sub sigillo tuo distincte et aperte mittas et hoc breve ita quod ea habeamus in octabis Purificacionis beate Marie ubicumque

tunc fuerimus in Anglia ut ulterius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum. Teste me ipso apud Westmonasterium xxij die Ianuarii anno regni nostri Anglie quadragesimo quarto regni vero nostri Francie tricesimo primo.

Presentacio de qua in brevi predicto fit mencio sequitur in hec verba : Presentacio coram Willelmo Appuldrefeld' nuper vicecomite Kancie coram ipso in turno suo tento apud Larkefeld' die Veneris proxima post festum sancte Fidis anno regni regis Edwardi tercii a conquestu Anglie quadragesimo quarto per sacramentum Roberti Reyner¹ . . . qui dicunt super sacramentum suum quod borgha de Eillesford' et borgha de Preston' pontem de Eillesford' qui dirutus est et confractus reparare tenentur et emendare absque contribucione aliorum quorumcumque. Ideo consideratum est quod ipse borgha sint in misericordia et est misericordia dimidia marca per afforacionem Ricardi Ismongere et Iohannis Lamberd' : et preceptum est vicecomiti distringere dictas borghas ad reparandum pontem predictum citra proximum etc. Per recordum de anno xlv.

Et ad easdem octabas Purificacionis beate Marie coram domino rege apud Westmonasterium venerunt Willelmus Wolsy et Robertus Rowe borghsaldres borgharum predictarum et alii homines earundem borgharum in propriis personis suis et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare et emendare non debeant etc. : qui dicunt quod ipsi pontem predictum reparare et emendare non tenentur nec quod aliqui homines borgharum predictarum pontem illum aliquo tempore de iure reparare et emendare tenebantur et hoc parati sunt verificare per patriam etc. Et Thomas de Shardelowe qui pro domino rege sequitur dicit quod homines borgharum predictarum pontem predictum reparare et emendare tenentur prout superius super ipsos presentatum est et hoc pro domino rege offert verificare etc. Et predicti borgh[sald]ri et homines borgharum predictarum similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc. Et super hoc predicti borgh[sald]ri et homines borgharum predictarum ponunt loco suo Stephanum del Fall' vel Thomam de Whatton' in placito predicto etc.

Postea continuato inde processu coram domino rege usque in crastino Ascensionis Domini ubicumque [etc.] tunc proximo sequentis, ad quem diem coram domino rege apud Westmonasterium venerunt predicti Willelmus Woley et Robertus Rowe in propriis personis suis et predicti homines borgharum predictarum per attornatum suum

¹ The names of eleven other jurors are given.

similiter venerunt et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicte borghe pontem predictum reparare seu emendare [non] tenentur nec aliqui homines seu tenentes borgharum predictarum pontem illum aliquo tempore de iure emendare seu reparare tenebantur ; set dicunt quod pons predictus a tempore quo non extat memoria emendatus et reparatus fuit per elemosinam hominum ibidem transeuncium et non alio modo etc. Et [quia] curia nondum avisatur ad iudicium inde reddendum etc. datus est dies prefatis borgh[sald]ris et hominibus borgharum [predictarum] usque a die sancte Trinitatis in xv dies ubicumque etc. in statu quo nunc est etc.

Ad quem diem [coram] domino rege apud Wyntoniam venerunt predicti Willelmus Wolcy et Robertus Rowe et similiter predicti homines borgharum predictarum per attornatum suum et, viso veredicto iurate predicte, consideratum est quod [predicti] borgh[sald]ri et similiter homines borgharum predictarum eant inde sine die etc. salvo semper iure domini [regis] si quod etc.

The *New English Dictionary* (s.v. 'borrow' and 'borsholder') draws attention to the confusion between '*burgh*' and '*borrow*.' The latter word derives its meaning of tithing from that of surety, and both from the size of at least one of the place-names and from the use of the form *borghsaldri* it is plain that *borgha* is correctly used in the sense of 'borrow' in this entry. Beyond a bare reference to its antiquity in the former work, neither Hasted nor the index to *Archaeologia Cantiana* appears to contain any reference to this bridge.

LEICESTERSHIRE.

XCVI.

THE FOSSE WAY AT BELGRAVE.

Mandate to the justices of the King's Bench dated 15 June, 1357, to inspect and adjudicate upon certain inquisitions returned into chancery.

Commission dated 2 June to Robert de Herle, John de Folevill, John de Knyghton', Simon Pakeman and Richard de Leycestre to take the said inquisitions concerning purprestures upon the king's road called Fosse at Belgrave.

Inquisition taken before the said commissioners (Robert de Herle excepted) at Leicester on Saturday, 9 June, whereby it was found that John son of Roger and 33 other men of Belgrave on Thursday, 11 May, made a purpresture on the Fosse way at Belgrave aforesaid, which passes beyond the river Soar by a ford called Coweswade, making large and deep trenches across the said road and fixing piles and planting trees whereby it was so narrowed that there was no passage there: and that another road at Belgrave passing beyond the said river by Belgrave bridge for horses, carts and carriages was likewise obstructed on Monday, 15 May, by Roger de Shepeye and eight other men of Belgrave who set bars fixed across piles and fastened with locks and keys across the said bridge.

Inquisition in the same terms except that 30 other men of Belgrave (instead of 33) are named with John son of Roger.

Precept to the sheriff.

After postponements, on the octave of Hilary, 1357-8, the said men of Belgrave came before the king at Westminster by Henry Chamberleyn their attorney and could not deny the premisses: they were in mercy and were ordered to remove the purprestures at their own cost. A writ of distringas returnable on the quinzaine of Easter issued to the sheriff, and as he made no return another writ issued returnable on the octave of Michaelmas.

Coram Rege Roll, Trin., 31 Edward III. rex 6.

Leyc'. Dominus rex mandavit Willemo de Sharesull' et sociis suis iusticiariis hic breve suum clausum in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus Willemo de Sharesull' et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Quasdam inquisiciones de mandato nostro captas et in cancellariam nostram retornatas vobis mittimus sub pede

sigilli nostri mandantes ut inspectis mandatis et inquisicionibus predictis super contentis in eisdem nobis et aliis conqueri inde volentibus fieri faciat quod de iure et secundum legem et consuetudinem regni nostri Anglie fore videritis faciendum. Teste me ipso apud Westmonasterium xv die Iunii anno regni nostri Anglie tricesimo primo regni vero nostri Francie decimo octavo.

Commissio Roberto de Herle et sociis suis inde directa talis est : Edwardus [*etc. ut supra*] dilectis et fidelibus suis Roberto de Herle Iohanni de Folevill' Iohanni de Knyghton' Simoni Pakeman et Ricardo de Leycestr' salutem. Quia regia via nostra que vocatur Fosse apud Belgrave in comitatu Leyc' per fossata levata ac pilos fixos et arbores plantatas necnon purpresturas et alia nocumenta quamplurima ita artata est et obstructa quod homines parcium illarum ac alii per eandem viam transeuntes cum equis carectis et aliis cariagiis suis absque periculo quasi inevitabili transitum ibidem habere non possunt hiis diebus sicut habere debent et habere consueverunt in nostri preiudicium et populi nostri parcium predictarum et aliorum dispendium non modicum et gravamen, sicut est nobis graviter conquerendo monstratum et ex parte dicti populi supplicatum de remedio inde iubere provideri, nos ut in hac parte tam pro indempnitate nostra quam dicti populi nostri fieri faciamus quod est iustum assignavimus vos quatuor tres et duos vestrum ad inquirendum per sacramentum proborum et legalium hominum tam infra libertates quam extra per quos rei veritas melius sciri poterit quis vel qui huiusmodi fossata levaverunt et pilos fixerunt ac arbores plantaverunt necnon purpresturas et alia nocumenta quecunque fecerunt et viam illam ibidem et alibi ac alias vias nostras regias in eodem comitatu artaverunt vel obstruxerunt per quod passagium dicti populi impeditum est quo tempore et qualiter et quo modo. Et ideo vobis mandamus quod ad certos dies et loca quos vos quatuor tres vel duo vestrum ad hoc provideritis inquisitiones inde tam infra libertates quam extra faciat et eas distincte et aperte factas nobis in cancellariam nostram sub sigillis vestris aut unius vestrum distincte et aperte sine dilacione mittatis et hoc breve. Mandavimus enim vicecomiti nostro comitatus predicti quod ad certos dies et loca quos vos quatuor tres vel duo vestrum ad hoc provideritis venire faceret coram vobis quatuor tribus vel duobus vestrum tot et tales probos et legales homines de balliva sua tam infra libertates quam extra per quos rei veritas in premissis melius sciri poterit et inquire. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium secundo die Iunii anno regni nostri Anglie tricesimo primo regni vero nostri Francie decimo octavo.

Inquisitiones coram prefato Roberto et sociis suis inde habite patent ut insequitur: Inquisicio capta coram Iohanne de Folevill' Iohanne Knyghton' Simone Pakeman et Ricardo de Leycestr' apud Leycestr' die sabbati proxima ante festum sancti Barnabe apostoli anno regni regis Edwardi tercii post conquestum tricesimo primo virtute brevis domini regis huic inquisitioni consuti per sacramentum Iohannis le Clerk' de Neweton'¹ . . . iuratorum qui dicunt super sacramentum suum quod Iohannes filius Rogeri de Belgrave² . . . die Iovis proxima ante festum Ascensionis Domini anno regni regis Edwardi tercii post conquestum tricesimo primo fecerunt purpresturam in alta via regia que vocatur Fosse apud Belgrave in comitatu Leycestr', que quidem via regia se extendit ultra aquam de Sore ibidem per vadum vocatum Coweswade, videlicet fossatas magnas et profundas extranverso vie regie predictae ibidem faciendo et pilos ibidem figendo et arbores ibidem plantando per quod via regia predicta ibidem tam artata est et obstructa quod homines parcium illarum et omnes alii passagium suum vel transitum per viam regiam predictam ibidem nullo modo habere possunt. Dicunt eciam super sacramentum suum quod cum habetur quedam alia via regia apud Belgrave ultra aquam de Sore per pontem de Belgrave ad omnes per ibidem transire volentes cum equis carectis et caragiis quibuscumque Rogerus de Shepeye de Belgrave³ . . . die Lune proxima ante festum Ascensionis Domini anno tricesimo primo supradicto fecerunt super pontem predictum barras per medium pilorum ibidem fixas cum clavibus et seruris firmatas ita quod nullus per eundem pontem transitum suum vel passagium suum cum equis carectis et caragiis suis habere potest ad magnum preiudicium domini regis et magnum nocumentum et periculum omnium per pontem illum transire volencium. In cuius rei testimonium huic inquisitioni iuratores predicti sigilla sua apposuerunt date anno die et loco supradictis.

Alia inquisicio inde capta sequitur in hec verba: Inquisicio capta coram Iohanne de Folevill [*etc. et supra*] virtute brevis domini regis huic inquisitioni consuti per sacramentum Iohannis de Stapelton'⁴ . . . iuratorum qui dicunt super sacramentum suum quod Iohannes filius Rogeri de Belgrave⁵ . . . die Iovis proxima ante festum Ascensionis

¹ The names of eleven other jurors are given.

² The names of thirty-three other men of Belgrave are given.

³ The names of eight other men of Belgrave are given. They also appear in the longer list of names.

⁴ The names of eleven other jurors are given.

⁵ The names of thirty other men of Belgrave, most of whom are included in the previous list, are given.

Domini anno regni regis Edwardi tercii post conquestum tricesimo primo¹

Per quod preceptum fuit vicecomiti quod venire faceret predictum Iohannem filium Rogeri de Belgrave et alios etc. ad respondendum domino regi de premissis etc.

Et continuato inde processu coram domino rege de termino in terminum etc. usque in octabas sancti Hillarii anno regni regis nunc Anglie tricesimo secundo incipiente, ad quem diem coram domino rege apud Westmonasterium venerunt predictus Iohannes filius Rogeri de Belgrave et alii per Henricum Chamberleyn attornatum suum et allocuti sunt separatim qualiter de premissis sibi impositis se velint acquietare ; dicunt separatim quod premissa sibi imposita non possunt dedicere. Ideo ipsi in misericordia et purpresture et nocumenta predicta sumptibus ipsorum Iohannis filii Rogeri et aliorum deleantur etc. Et preceptum est vicecomiti quod non omittat propter aliquas libertates in balliva sua quin distringat predictos Iohannem filium Rogeri de Belgrave et alios ad purpresturas et nocumenta predicta sumptibus suis delenda et fossata predicta obstruenda et qualiter etc. scire faciat domino regi a die Pasche in xv dies ubicumque etc. Ad quem diem vicecomes non misit breve etc. Ideo fiat sicut alias inde breve in forma predicta etc. et qualiter etc. vicecomes scire faciat domino regi in octabis sancti Michaelis ubicumque etc.

Presentments for purprestures in a more rudimentary form are found in the very earliest assize rolls, and it is possibly from them that all presentments relating to highways and bridges developed.

¹ From this point the inquisition is identical with the previous one.

LINCOLNSHIRE.

XCVII.

SEWERS, ROADS AND BRIDGES NEAR LOUTH.

1. Amercement of Anselm son of Anselm and Gilbert son of John of Somercotes, Andrew son of Anselm, John son of Ralph of Scupholme, and John Ukke of Somercotes for divers defaults.

They were attached to answer the abbot of Louth Park for filling with earth and dirt a sewer at Somercotes, whereby for the safety of the adjacent land water flowed from olden times, so that the said water was hindered and flooded 200 acres of sown land and 60 acres of meadow, whereby the said abbot lost £60 of profit from the said land and meadow; and the said abbot complained by John de Totel his attorney that the said Anselm and the others on 20 November, 1327¹, doing as aforesaid damaged him to the value of £200. The said Anselm and the others came by Robert de Totel their attorney, and said that they dwelt in Somercotes and that the aforesaid sewer lay in the soil of the men of that town and was constructed only forty years ago for the safety of their lands and that, because the abbot made a trench from a sewer in Cockerington called Skyterfletdyke so that the water flowed thence into the first-named sewer and overflowed the lands and meadows of Somercotes, they seeing the peril that had befallen them by reason of the trench that the abbot had made, filled up the first-named sewer to save their lands and that the said abbot's lands were not flooded for that reason, but rather because of the trench that he himself had made and that therefore they had done no trespass. The said abbot said that it was as he had complained and that it was not by reason of his trench that he had suffered damage; and he and the said Anselm and the others put themselves on the country and a jury was summoned for the morrow of St. John the Baptist's day.

2. Mandate dated at Stamford, 20 June, 1337, to the bailiffs of Henry earl of Lancaster of Belchford to send to the king by the morrow of St. John the Baptist's day certain presentments made in the earl's court of Belchford that the abbot of Louth Park ought to repair certain bridges called Routebrigge, Innerholmbrigge and Utterholmbrigge and the judgments thereon, if rendered, or else to signify their reason for not having obeyed the mandate now and on a former occasion sent to them.

¹ The date in the text, *die dominica in festo sancti Edmundi regis et martiris anno primo* is impossible, as 20 November in that year fell on a Friday.

Record of the presentment made as aforesaid before John de Brix and John de Tamworth, the said bailiffs, on 2 May, 1336, that the said three bridges in Conisholme were broken by default of the said abbot, who was amerced 6s. 8d. and was to be distrained from day to day to repair them.

Whereupon Adam de Fyncham, suitor for the king, came and said that the aforesaid abbot was so liable by reason of his tenements in Conisholme and that his predecessors used always to repair the said bridges. The said abbot came and said that he held no lands or tenements whereby he was so liable; and he and the said Adam sought an inquiry by the country.

After postponements and upon a writ of *nisi prius* on the octave of St. Michael the said Adam came and the abbot came by Robert de Totel his attorney, and Robert de Scardeburgh justice sent the verdict of a jury given before him and John de Brynkel at Horncastle on 24 July, who said that the aforesaid abbot held no lands in Conisholme or elsewhere whereby he ought to repair the said bridges and that none of his predecessors used to repair them. Therefore he went quit in the matter.

3. Presentment in Easter term, 1349, before the king at Lincoln that the abbot of Louth Park ought to repair a road called le Cause and also a way leading from the sea towards Louth extending in a straight line from Cockerington to Louth, which are out of repair.

Precept to the sheriff (the said abbot being now dead) to cause his successor to appear.

In Easter term, 1367, the abbot came before the king at Westminster by William de Statherne his attorney, and said that as to the first road on Monday, 16 November, 1332, upon a presentation in the sheriff's turn that the causey of Louth Park was out of repair by default of the said abbot and convent, which came before the king by virtue of a writ dated at York, 16 January, 1333, on the octave of the Purification, it was found by a jury of the country on the octave of Hilary, 1334, that the said abbot was not bound to repair the said causey, and he produced in court an exemplification of the verdict dated 6 February, 1341; and he also said that the causey therein named was the same as le Cause named in the new presentment and that therefore the court should not trouble him as to the repair thereof; and he said that the other road leading from the sea to Louth was the same as the causey aforesaid. Thomas de Shardelowe, suitor for the king, said that the aforesaid causey, the road called le Cause and the way from the sea to Louth were all different: and he and the said abbot sought the verdict of the country. After postponements on the quinzaine of Michaelmas a jury came and said that the causey of Louth Park named in the aforesaid exemplification and the road called le Cause and the way from the sea to Louth, concerning which the presentments are now made, are one and the same. It was therefore held that the abbot should go without a day.

4. Mandate to the sheriff of Lincoln, dated 11 June 1369, to certify the king concerning a presentment as to a bridge in Louth made in his turn at Louth.

The said presentment whereby it was found before Thomas de Fulnetby, the sheriff, at Louth, on 16 April 1369, that a bridge below Louth wood was broken by default of the bishop of Lincoln, who was amerced 20s.

Precept to the sheriff.

On Thursday, 8 November 1375, the said bishop came before the king at Lincoln by William de Stathern his attorney and said that neither he nor any of his predecessors ever repaired the said bridge or ought so to do. Thomas de Shardelowe, suitor for the king, said that the aforesaid bridge was broken and ought to be repaired by the said bishop: and he and the said bishop sought the verdict of the country. A jury of 24 came as aforesaid on Thursday, 29 November, and said that neither the aforesaid bishop nor any of his predecessors ever repaired or ought to repair the said bridge. Therefore the said bishop went without a day.

5. Presentment in Easter term, 1349, before the king at Lincoln, that a bridge below Louth wood on the road to Manby, Grimoldby and South House is broken and ought to be repaired by the township of Louth.

Precept to the sheriff.

In Michaelmas term, 1375, the said township came before the king at Bedford by Adam de Lound, their attorney, and said that neither they nor their predecessors ever repaired or ought to repair the said bridge. Simon de Kegworth, suitor for the king, said that they ought to repair it: and he and the said township sought the verdict of the country. After postponements on Thursday, 29 November 1375, the said township came before the king at Lincoln by William de Stathern their attorney, and a jury came and said that neither the men of the said township nor any of their predecessors ever repaired or ought to repair the said bridge. Therefore they went without a day.

6. Verdict of a jury of Ludborough on Monday, 22 April 1392, before John de Rocheford, sheriff, at Louth, that the highway called Beragate between the houses late of John Coke and of Robert de Wythornwyk is very defective by default of the townships of Calthorpe, who were amerced 3s. 4d.

7. Verdict of a jury of Ludborough on Saturday, 17 April 1395, before John de Skipwyth, sheriff, at Lincoln, that the common watercourse between Utterby and Fotherby was stopped up by default of William Banear of Fotherby who was amerced 8d. and was ordered to repair it before 29 June under a penalty of 40s.

1. Coram Rege Roll, Easter, 4 Edward III. m. 82.

Lincoln'. Anselmus filius Anselmi de Somercotes Gilbertus filius Iohannis de Somercotes Andreas filius Anselmi Iohannes filius Radulphi de Scupholme et Iohannes Ukke de Somercotes in misericordia pro pluribus defaultis.

Idem Anselmus et alii attachiati fuerunt ad respondendum abbati de Parco Lude de placito quare vi et armis quandam seweram apud Somercotes per quam quedam aqua pro salvacione terrarum parcium adiacencium ab antiquo currere solebat terra et finis in tantum

impleverunt quod aqua illa ab antiquo cursu suo per implecionem illam impedita ducentas acras terre diversis bladis seminatās et sexaginta acras prati ipsius abbatis apud Somercotes et Cokeryngton' inundavit, per quod idem abbas proficuum terre et prati predictorum ad valenciam sexaginta librarum amisit et alia enormia etc. ad grave dampnum etc. et contra pacem etc. et unde idem abbas per Iohannem de Totel attornatum suum queritur quod predictus Anselmus et alii die dominica in festo sancti Edmundi regis et Martiris anno regni domini regis nunc primo vi et armis videlicet etc. quandam seweram que vocatur le Engdyk' apud Somercotes, per quam quedam aqua pro salvacione terrarum parcium adiacencium ab antiquo currere solebat terra et fimo in tantum impleverunt quod aqua illa ab antiquo cursu suo per implecionem illam impedita ducentas acras terre diversis bladis videlicet frumento ordeo avena fabis et pisis seminatās et sexaginta acras prati ipsius abbatis apud Somercotes et Cokeryngton' inundavit per quod [*etc. ut supra*] unde dicit quod deterioratus est et dampnum habet ad valenciam ducentarum librarum et inde producit sectam etc. Et predictus Anselmus et alii per Robertum de Totel attornatum suum venerunt et defendunt vim et iniuriam quando etc. et dicunt quod predictus abbas iniuste queritur etc.: dicunt enim quod ipsi sunt homines residentes in villa de Somercotes et dicunt quod predicta sewerā apud Somercotes, per quam predictus abbas asserit quod quedam aqua pro salvacione terrarum parcium adiacencium ab antiquo currere solebat et quam idem abbas queritur ipsos implevisse etc., est in solo hominum ville predictę et per assensum hominum eiusdem ville de novo circiter quadraginta annos elapsos facta fuit pro salvacione terrarum eiusdem ville de Somercotes et per quam aqua ab antiquo ante tempus predictum currere non solebat etc. et dicunt quod pro eo quod idem abbas quandam seweram in Cokeryngton' vocatam Skyterfletdyk' detrenchavit, per quam trencheam aqua a predicta sewerā de Skyterfletdyk' exivit et cursum suum tenuit usque ad predictam seweram in Somercotes et terras et prata eiusdem ville de Somercotes superundavit, et quod iidem Anselmus et alii homines ville predictę, percipientes periculum et dampnum eis evenisse racione trenchie predictę, predictam seweram suam in Somercotes de assensu ipsorum iam quadraginta annis elapsis factam impleverunt pro salvacione terrarum suarum et dicunt quod per implecionem eiusdem sewere predicta terra et prata ipsius abbatis non fuit inundata, immo si idem abbas aliquod dampnum recepit, hoc ei evenit per trenchiam suam propriam et non per implecionem sewere predictę unde dicunt quod ipsi nullam transgressionem eidem abbati

fecerunt vi et armis et contra pacem sicut queritur et hoc parati sunt verificare etc. Et predictus abbas dicit quod predicti Anselmus et alii vi et armis predictam seweram per quam predicta aqua ab antiquo currere solebat pro salvacione terrarum de terra et fimo in tantum impleverunt per cuius implecionem aqua illa ab antiquo cursu suo impedita predictas terras predictis bladis seminatatas et pratum ipsius abbatis inundavit, racione cuius implecionis idem abbas proficuum terre et prati predictorum totaliter amisit et non racione trenchie ipsius abbatis predictae et hoc petit quod inquiretur per patriam. Et predictus Anselmus et alii similiter. Ideo veniat inde iurata coram rege in crastino sancti Iohannis Baptiste ubicumque etc. et qui nec etc. quia tam etc.

2. Coram Rege Roll, Trin., 11 Edward III. rex 5d.

Linc'. Dominus rex mandavit ballivis Henrici comitis Lancastr' de Beltesford' breve suum in hec verba: Edwardus dei gracia rex Anglie dominus Hibernie et dux Aquitanie ballivis Henrici comitis Lancastrie de Beltesford' salutem. Quia in quadam presentacione facta coram vobis in curia predicti domini vestri de Beltesford' de eo quod abbas de Parco Lude pontem qui vocatur Routebrigge et eciam in quadam presentacione facta coram vobis in eadem curia pontem qui vocatur Innerholmbrigge et eciam in quadam presentacione facta coram vobis in eadem curia de eo quod idem abbas pontem qui vocatur Utterholmbrigge quos reparare tenetur ut dicitur non reparavit necnon in reddicione iudicii inde errores intervenerunt manifesti ad grave dampnum ipsius abbatis sicut ex querela sua accepimus, nos errores illos si qui fuerint modo debito corrigi et prefato abbati plenam et celerem iusticiam fieri volentes in hac parte vobis precipimus sicut alias precepimus quod, si iudicium inde redditum sit, tunc recorda et processus presentacionum predictarum cum omnibus ea tangentibus nobis sub sigillis vestris distincte et aperte mittatis et hoc breve ita quod ea habeamus in crastino sancti Iohannis Baptiste ubicumque tunc fuerimus in Anglia ut hiis inspectis ulterius fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri fuerit faciendum vel causam nobis significetis quare mandato nostro alias vobis inde directo minime paravistis. Teste me ipso apud Staunford' xx die Iunii anno regni nostri undecimo.

Pretextu cuius brevis prefati ballivi miserunt coram domino rege ad diem supradictum recorda et processus de quibus in brevi predicto fit mencio in hec verba: Inquisicio capta apud Beltesford' coram Iohanne de Brix et Iohanne de Tamworth' ballivis libertatis

Henrici comitis Lancastrie ad visum franciplegii tentum ibidem die Iovis in crastino apostolorum Philippi et Iacobi anno regni regis Edwardi tercii a conquestu decimo per sacramentum Iohannis Querdray de Conyngesholm¹ . . . qui dicunt et presentant super sacramentum suum quod quidam pons qui vocatur le Routebrigge in Conyngesholm' dirrutus est et confractus ad nocumentum vicinorum et omnium ibidem transeuncium per defectum abbatis de Parco Lude qui pontem illum reparare et sustentare tenetur : et quod quidam pons qui vocatur le Innerholmbrigge in Conyngesholm' quem predictus abbas reparare et sustentare tenetur similiter dirrutus est et confractus ad nocumentum omnium ibidem transeuncium per defectum predicti abbatis : et quod quidam pons qui vocatur le Utterholmbrigge in Conyngesholm' quem predictus abbas similiter reparare tenetur dirrutus est et confractus ad nocumentum tocius patrie et omnium vicinorum ibidem transire volencium per defectum predicti abbatis. Ideo idem abbas in misericordia et afforatur ad dimidiam marcam : et nichilominus preceptum est distringere predictum abbatem de die in diem ad reparandum pontes predictos etc.

Et super hoc venit Adam de Fyncham qui sequitur pro domino rege et dicit quod predictus abbas et predecessores sui tenuerunt quedam certa tenementa cum pertinenciis in Conyngesholm', quorum pretexto predictus abbas nunc et predecessores sui pontes predictos reparare et sustentare tenentur et sustentare solebant a tempore quo non extat memoria ; et hoc paratus est verificare pro domino rege etc. Et predictus abbas per attornatum suum venit et qualitercunque presentatum sit quod pontes predicti diruti sunt et confracti per defectum ipsius abbatis et quod ipse pontes illos reparare et sustentare tenetur idem abbas dicit quod ipse non tenet aliqua terras scu tenementa per quod ipse pontes predictos reparare seu sustentare tenetur nec ipse seu predecessores sui pontes illos reparare seu sustentare consueverunt et hoc petit quod inquiratur per patriam etc. Et predictus Adam similiter. Ideo veniat inde iurata coram rege a die sancti Iohannis Baptiste proximo preterito in xv dies ubicumque etc. et qui nec etc. Ad quem diem venit Adam de Fincham qui sequitur pro domino rege et similiter predictus abbas per attornatum suum et vicecomes retornavit nomina iuratorum quorum nullus venit etc. per quod iurata ponitur in respectum usque in octabis sancti Michaelis ubicumque etc. nisi Ricardus de Wilughby et Robertus de Scardeburgh' iusticiarii regis vel eorum alter prius apud Horneastr' die Iovis proxima post festum sancte Margarete virginis venerint vel venerit etc. pro defectu iurate quia nullus etc.

¹ The names of eleven other jurors are given.

Ideo vicecomes habeat corpora etc. Ad quas octabas sancti Michaelis venit predictus Adam qui sequitur pro domino rege et similiter predictus abbas per Robertum de Totel attornatum suum : et predictus Robertus de Scardeburgh' misit coram rege veredictum iurate predictae in hec verba :

Postea coram Roberto de Scardeburgh' associato sibi Iohanne de Brynkel' apud Horneastre die Iovis proxima post festum sancte Margarete virginis anno regni domini regis nunc undecimo venit tam Iohannes de Linc' qui sequitur pro domino rege quam predictus abbas per attornatum suum et similiter iuratores, qui dicunt super sacramentum suum quod predictus abbas non tenet aliqua terras seu tenementa in Conyngesholm' aut alibi per quod ipse pontes predictos reparare seu sustentare tenetur nec idem abbas aut predecessores sui unquam predictos pontes reparare seu sustentare consueverunt. Ideo idem abbas eat quietus de reparacione et sustentacione poncium predictorum salvo semper iure regis cum inde loqui voluerit etc.

3. Coram Rege Roll, Easter, 41 Edward III. rex 30.

Linc'. Iuratores diversorum wappentachiorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc vicesimo tercio coram domino rege apud Lincoln' presentaverunt quod abbas de Parco Lude tenetur reparare quandam viam regiam que vocatur le Cause, que quidem via irreparata est quod homines patrie per illam viam tempore iemali transire non possunt in defectu ipsius abbatis ad grave dampnum tocius patrie et periculum manifestum. Item presentaverunt quod idem abbas tenetur reparare quoddam chiminum que se ducit a mari versus Ludam et incipit in Cokeryngton' et sic linealiter se extendit versus Ludam, quod quidem chiminum ob defectum abbatis predecessorum qui nunc est dirrutum fuit quod homines de patria ibidem transire non potuerunt absque maximo periculo etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem ad respondendum domino regi super premissis etc. et quia predictus abbas qui tunc fuit diem suum clausurit extremum etc. ideo preceptum fuit vicecomiti quod venire faceret abbatem qui nunc est ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Westmonasterium venit predictus abbas qui nunc est per Willelmum de Statherne attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare regiam viam et chiminum predicta reparare non debet etc. : qui quidem abbas quo ad regiam viam vocatam le Cause dicit quod alias scilicet die Lune proxima post festum sancti Martini in Yeme anno regni regis nunc sexto coram vicecomite Linc'

in turno suo extitit presentatum quod calcetum de Parco Lude non est reparatum prout decet in defectu abbatis et conventus eiusdem : quam quidem presentationem dominus rex nunc per quoddam breve suum clausum venire fecit coram eo in octabis Purificacionis beate Marie anno regni sui sexto (*sic*) ubicunque etc. cuius quidem brevis datum est apud Ebor' xvj die Ianuarii anno regni sui predicto sexto : et dicit quod abbas de Parco Lude qui tunc fuit predecessor abbatis qui nunc est coram ipso domino rege comparens super premissis allocutus etc. et sic continuato inde processu coram ipso domino rege usque in octabis sancti Hillarii anno regni sui septimo finiente, ad quem diem predictus tunc abbas coram ipso rege similiter comparens et per iuratam patrie in quam idem tunc abbas ad sectam ipsius regis inde se posuit compertum fuit quod predictus abbas non tenetur de iure dictum calcetum reparare nec sustentare etc. Per quod tunc consideratum fuit quod idem abbas de cetero de reparacione et sustentacione calceti predicti exoneretur etc. Et profert hic in curia recordum et processus loquele et placiti predicti per literas domini regis nunc patentes in cancellaria ipsius regis exemplificatas, quarum datum est apud Westmonasterium sexto die Februarii anno regni sui Anglie quintodecimo regni sui Francie secundo. Et dicit quod hoc idem quod in predictis literis domini regis patentibus de exemplificacione etc. nominatur calcetum de Parco Lude etc. est illud idem quod per presentationem predictam supponitur esse regiam viam vocatam le Cause ; et dicit idem abbas nunc quod desicut predictus abbas predecessor etc. de reparacione et sustentacione calceti de Parco Lude quod est eadem regia via que vocatur le Cause alias extitit exoneratus quod non intendit quod curia hic ipsum de reparacione et sustentacione dicte vie regie etc. iterum occasionare velit etc. Et quo ad chiminum quod se ducit a mari versus Ludam etc. idem abbas nunc dicit quod predictum chiminum est illud idem quod per presentationem superius nominatur regia via vocata le Cause et similiter illud idem quod per literas domini regis predictas etc. supponitur calcetum de Parco Lude et petit iudicium si idem abbas nunc de reparacione chimini predicti occasionari debeat. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod regia via predicta vocata le Cause in presentatione predicta superius nominata etc. est alia quam in predictis literis domini regis patentibus nominatur calcetum de Parco Lude et similiter quod predictum calcetum de Parco Lude est aliud quam illud quod per presentationem predictam supponitur esse chiminum. Et hoc pro domino rege offert verificare etc. et predictus abbas similiter. Ideo veniat inde iurata coram domino rege

a die sancte Trinitatis in xv dies ubicunque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu coram domino rege versus prefatum abbatem per iuratas positas in respectum usque ad hunc diem silicet (*sic*) a die sancti Michaelis in xv dies isto eodem anno quadragesimo primo, ad quem diem coram domino rege apud Westmonasterium venerunt tam predictus Thomas qui sequitur etc. quam predictus abbas per attornatum suum et similiter iuratores venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod hoc idem quod in predictis literis domini regis patentibus de exemplificatione etc. nominatur calcetum de Parco Lude est illud idem quod per presentacionem predictam supponitur esse viam regiam vocatam le Cause et quod predictum cheminum quod se ducit a mari usque Ludam est illud idem quod per presentacionem predictam nominatur regia via vocata le Cause et similiter illud idem quod per literas domini regis predictas supponitur calcetum de Parco Lude unde idem abbas alias coram domino rege per iuratum patrie in quam ad sectam domini regis inde se posuit acquietatus fuit. Ideo consideratum est quod idem abbas eat inde sine die salvo semper iure regis etc.

4. Coram Rege Roll, Mich., 43 Edward III. rex 28.

Linc'. Dominus rex mandavit vicecomiti Lincoln' breve suum clausum in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie vicecomiti Lincoln' salutem. Quia quibusdam certis de causis certiorari volumus super presentacione facta coram te in turno tuo tento apud Louth de eo quod quidam pons in villa de Leuda sub bosco episcopi Linc' quem idem episcopus tenetur reparare est insufficiens ut dicitur, tibi precipimus quod, si coram te taliter sit presentatum, tunc presentacionem predictam cum omnibus eam tangentibus nobis sub sigillo tuo distincte et aperte mittas et hoc breve ita quod eam habeamus in octabis sancti Iohannis Baptiste ubicunque tunc fuerimus in Anglia ut inspecta presentacione predicta ulterius inde fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum Teste me ipso apud Westmonasterium xj die Iunii anno regni nostri Anglie quadragesimo tercio regni vero nostri Francie tricesimo.

Presentacio de qua in brevi predicto fit mencio sequitur in hec verba: Inquisicio capta coram Thoma de Fulnetby vicecomiti Lincoln' apud Ludam die Lune proxima ante festum sancti Georgii anno regni regis Edwardi tercii post conquestum quadragesimo tercio in

turno suo de termino Pasche ibidem tento per sacramentum Elie Fraunceys¹ . . . iuratorum qui dicunt super sacramentum suum quod quidam pons sub bosco Lude fractus est ita quod homines patrie ibidem transire non possunt ad grave dampnum tocius patrie illius et debet fieri et reparari per episcopum Lincolniensem et non reparatur. Ideo predictus episcopus in misericordia xx solidorum.

Per quod preceptum est vicecomiti quod venire faciat coram domino rege in octabis sancti Hillarii ubicumque etc. prefatum episcopum ad respondendum etc.

Coram Rege Roll, Mich., 49 Edward III. rex 45.

. . . Et modo scilicet die Iovis proxima ante festum sancti Martini isto eodem termino coram domino rege apud Linc' venit predictus episcopus per Willelmum de Stathern' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum facere et reparare non debeat : dicit quod nec ipse nec aliquis predecessorum suorum episcopi loci predicti pontem predictum umquam reparaverunt seu de iure facere et reparare tenebatur prout superius presentatum est et hoc paratus est verificare etc. Et Thomas Shardelowe qui pro domino rege sequitur dicit quod predictus pons sub bosco Lude fractus est ita quod homines patrie ibidem transire non possunt ad grave dampnum tocius patrie illius et debet fieri et reparari per predictum episcopum et non reparatur prout super ipsum presentatum est, et hoc pro domino rege offert verificare etc. : et predictus episcopus similiter. Ideo veniat inde iurata coram domino rege die Iovis proxima post festum sancte Katerine apud Linc' xxiiij tam militum etc. de visneto de Luda per quos etc. et qui etc. ad recognoscendum etc. Ad quem diem coram domino rege apud Linc' venit predictus episcopus per attornatam suam et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod nec predictus episcopus nec aliquis predecessorum suorum episcopi (sic) loci predicti pontem illum reparaverunt nec de iure reparare tenentur prout superius presentatum est. Ideo consideratum est quod predictus episcopus eat inde sine die salvo semper iure regis etc. si quod etc.

5. Coram Rege Roll, Mich., 49 Edward III. rex 37.

Linc'. Alias scilicet termino Pasche anno regni regis nunc vicesimo sexto rotulo vicesimo secundo inter placita regis irrotulatur sic :

¹ The names of twelve other jurors are given.

Iuratores diversorum wapentachiorum comitatus predicti alias coram domino rege scilicet termino Pasche anno regni regis nunc Anglie vicesimo tercio apud Linc' presentaverunt quod quidam pons subtus boscum de Luda est in via regia que ducit ad Manby Grymelby et Southouses et debet reparari per villatam de Ludam et pons ille ita dirrutus est et contractus quod homines de patria per eum transire non possunt.¹ . . .

Per quod preceptum fuit vicecomiti quod venire faceret eam etc.

Et modo scilicet isto eodem termino coram domino rege apud Bedford' venit predicta villata per Adam de Lound' attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare pontem predictum reparare et sustentare non debeant: qui dicit quod ipsi nec aliqui antecessorum suorum pontem predictum aliquo tempore reparaverunt sustentaverunt nec de iure tenetur (*sic*) reparare neque sustentare¹ . . . et de hoc ponunt se super patriam. Et Simon de Kegworth' qui sequitur pro domino rege etc. dicit quod ipse (*sic*) pontem predictum reparare et sustentare debent prout superius presentatum est et hoc pro domino rege offert verificare etc.: et predicta villata similiter. Ideo veniat inde iurata coram domino rege a die sancte Trinitatis in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu versus prefatam villatam coram domino rege usque diem Iovis proximam post festum sancte Katherine virginis anno regni regis nunc Anglie quadagesimo nono ad quem diem coram domino rege apud Linc' venerunt homines villate predictae per Willelmum de Stathern' attornatum suum et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicti homines villate predictae nec aliqui antecessorum suorum pontem predictum aliquo tempore reparaverunt sustentaverunt nec de iure reparare seu sustentare tenentur prout superius presentatum est. Ideo homines eiusdem villate quo ad pontem predictum eant inde sine die salvo semper iure regis etc.¹ . . .

6. Ancient Indictments File 60 m. 83.

Lotheburgh'.

Inquisicio capta coram Iohanne de Rocheford' vicecomite Lincoln' apud Ludam die Lune in crastino clausi Pasche anno regni regis Ricardi secundi quinto decimo per sacramentum Iohannis de Barton' de

¹ Here follow proceedings against the township for sale of ale against the assize.

Ormesby¹ . . . qui presentant . . . quod alta via vocata Beregate inter Iohannem Coke nuper et Robertum de Wythornwyk est valde defectuosa ad magnum nocumentum patrie ob defectum villatarum de Calthorp'. Ideo in misericordia xl denariorum.

7. Ancient Indictments File 60 m. 36.

Lotheburgh'.

Inquisicio capta apud Louth' coram Iohanne de Skipwyth' vicecomite Lincoln' in turno suo tenta ibidem die Sabati in septimana Pasche anno regni regis Ricardi secundi xviii² per sacramentum Iohannis de Barton de Ormesby² . . . qui dicunt super sacramentum suum . . . quod communis cursus aque inter villatam de Utterby et villatam de Foterby obstupatur in defectu Willelmi Banear de Foterby (viiij d.)³ ad grave nocumentum tocius patrie. Ideo in misericordia. Et preceptum est quod sit reparata citra festum sancti Petri ad Vincula proximo futurum sub pena xl denariorum etc.

Walter of Louth, abbot of Louth Park, died in 1349, being a victim of the pestilence, and was succeeded by Richard of Lincoln. Abbot Walter is said to have suffered a great persecution about the manor of Cockerington,⁴ which may possibly refer to one or other of these proceedings.

XCVIII.

BRIDGES NEAR SAXILBY.

1. Presentment that Ralph Daubenay, knight, John de Multon, knight, Hugh de Normanton and the township of Saxilby with its members ought to repair the west part of Hathow bridge as their ancestors have done from time without memory and that the said bridge is now out of repair.

Precept to the sheriff.

The said Ralph and the others came before the king in Easter term, 1349.

2. Precepts to the sheriff to summon a jury of twenty-four of the neighbourhood of the aforesaid bridge and of Till bridge and Merton bridge not connected with the townships of Saxilby, Broxholme, Sturton, Stow and Fenton to determine whether the said townships were liable for their

¹ The names of eleven other jurors are given.

² The names of thirteen other jurors are given.

³ The sum is written above the name in the document.

⁴ *Chronicon Abbatie de Parco Lude*, p. 39.

repair for the quinzaine of Trinity, 1353, and, upon default at that date, for the octave of Michaelmas.

3. Presentment before John de Seypwyth, sheriff, in his turn at Spital in the Street on Tuesday, 5 October, 1395, by a jury of Lawress wapentake that Hathow bridge is out of repair by default of the bishop of Lincoln and the heirs of Ralph Daubnay, knight.

4. Presentments in Easter term, 1349, before the king at Lincoln that Hathow bridge is broken and ought to be repaired by the township of Saxilby and the bishop of Lincoln, and that Till bridge is broken and ought to be repaired by the bishop of Lincoln and the townships of Sturton, Stow and Broxholme, and that Hathow bridge is out of repair and that the bishop of Lincoln ought to repair the eastern part thereof.

Precept to the sheriff.

On the octaves of Hilary, 1356-7, the said bishop came before the king at Westminster by Richard de Frisby, his attorney, and said that neither he nor any of his predecessors had ever repaired or ought to repair any part of the said bridges. Simon de Kegworth, suitor for the king, said that the said bishop and his predecessors from time without memory repaired the said bridges and ought so to do: and he and the said bishop sought the verdict of the country. A jury was summoned for the quinzaine of Easter and the bishop was amerced because he came by grand distress.

5. Presentment made before Gilbert Dumframville, earl of Angus, and his fellows, justices of oyer and terminer at Lincoln, and referred to the King's Bench, that the bridges called Tilbrigges are utterly overthrown and ought to be repaired by John bishop of Lincoln and the townships of Sturton and Bransby on the west side.

Precept to the sheriff.

On Thursday, 4 February, 1366-7, the said bishop and townships came before the king at Westminster and said severally that they were not bound to repair the said bridges: Thomas de Shardelowe, suitor for the king, said that they were so bound. He and the said bishop and townships sought the verdict of the country, and a jury was summoned for the quinzaine of Easter. After postponements and upon a mandate to the justices of the King's Bench, after a writ of *nisi prius*, in the month of St. Michael, 1371, the said bishop and townships came as aforesaid and Thomas de Ingelby and John de Cavendissh, justices of assize, brought the verdict of a jury given before them on Tuesday, 22 July, that the said bishop and townships were not bound to repair the said bridges: and they therefore went without a day.

6. Presentment, made before Gilbert Dumframvill and his fellows and referred to the King's Bench, that the Till bridges are utterly overthrown and ought to be repaired by the township of Scampton and the abbot of Kirkstead¹ on the east side.

Precept to the sheriff.

¹ For the case against the abbot see No. cii.

On the quinzaine of Easter, 1369, the said township came before the king at Westminster by William de Stathern, their attorney, and said that they ought not to repair the said bridges and had never done so. Thomas de Shardelowe said that they ought to repair them, and both he and the township sought the verdict of the country. After postponements and upon a writ of *nisi prius*, on the quinzaine of Michaelmas, 1374, the said township appeared by their attorney, and William de Wychingham and Thomas de Ingilby, justices of assize in the said county, sent the verdict of a jury taken before them at Lincoln on 28 July that the said township ought not to repair and never repaired the said bridges. The court not being then minded to render judgment, a day was given on the quinzaine of Easter following. After postponements in Michaelmas term, 1381, the township came as above by their attorney and went without a day.

7. Presentment in Hilary term, 1349, that Till bridge is broken and ought to be repaired by the townships of Thorp and Carlton.

Precept to the sheriff.

On the octave of Hilary, 1363, the said townships came by Richard de Frisby, their attorney, and said that they were never bound to repair the said bridge and put themselves on the country. A jury was summoned for the quinzaine of Easter.

8. Presentment in Easter term, 1349, before the king at Lincoln that Till bridge is broken and ought to be repaired by the townships of Thorp, Carlton and Broxholme.

In Trinity term, 1383, the township of Thorp came before the king at Westminster by John de Sadington its attorney, and the townships of Carlton Wildeker and Broxholme by William de Statherne, and said that neither they nor any holders of lands in their townships ever repaired or ought to repair the said bridge. Thomas Shardelowe, suitor for the king, said that they ought to repair the said bridge: and he and the said townships sought the verdict of the country. A jury was summoned for the octave of St. Michael.

After postponements and upon a writ of *nisi prius* on the octave of St. Michael, 1384, the said townships came before the king at Westminster by their attorney, and William de Skipwyth and William de Burgh, justices of assize, sent the record of a verdict given before them on Thursday, 28 July, that neither the said townships nor any holder of land there ever made or ought to repair the aforesaid bridge. The said townships therefore went without a day.

1. Coram Rege Roll, Easter, 23 Edward III. m. 51.

Linc'. Iuratores diversorum wappentachiorum comitatus Lincoln' presentant quod Radulfus Daubenay chivaler Iohannes de Multon' chivaler Hugo de Normanton' et villata de Saxelby cum membris tenentur reparare occidentalem partem pontis de Hathaybrig' iuxta

Saxelby et quod ipsi et antecessores sui dictam partem occidentalem pontis predicti a tempore quo non exstat memoria usque nunc reparaverunt et quod idem pons in parte illa modo dirutus est et non reparatus ob defectu (*sic*) predictorum Radulfi et aliorum ad grave dampnum tocius patrie et omnium ibidem transeuncium etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictos Radulfum et alios ad respondendum domino regi super premissis etc.

Et modo scilicet isto eodem termino coram domino rege venerunt predicti Walterus (*sic*) et alii et allocuti qualiter se velint de premissis acquietare qui¹

2. Coram Rege Roll, Trin., 27 Edward III. rex 25.

Lincoln'. Preceptum fuit vicecomiti quod venire faceret coram domino rege ad hunc diem scilicet a die sancte Trinitatis in xv dies ubicumque etc. xxiiij tam milites quam alii etc. de visneto de Hothaybrigg' Tilbrigge et Merton' brigge per quos etc. et qui villata (*sic*) de Saxilby Broxholm' Striton' Stowe et Fenton' nulla affinitate etc. ad recognoscendum etc. si villate predictae diversos pontes in comitatu predicto existentes qui diruti sunt et confracti reparare et sustentare teneantur necne: et vicecomes non misit breve. Ideo sicut prius preceptum est vicecomiti quod venire faciat coram domino (*sic*) in octabis sancti Michaelis ubicumque etc. xxiiij tam milites etc. et qui etc. ad recognoscendum etc.

3. Ancient Indictments File 60 m. 28.

Lauriz.

Inquisicio capta coram Iohanne de Scypwyth' vicecomite Lincoln' in turno suo tento apud Spytell' othe Strete die Martis proximo post festum sancti Michaelis Archangeli anno regni regis Ricardi secundi post conquestum Anglie decimo nono per sacramentum Iohannis Furry de Faldyngworth² qui dicunt quod quidam pons vocatus Hathaybryge est ruinosus et non reparatus in defectu episcopi Lincoln' et heredum Radulfi Daubnay chivaler ad grave dapnum (*sic*) omnium transeuncium (*sic*) ibidem. Ideo etc. In cuius rei testimonium sigilla iuratorum sunt appensa. Data die et anno supradictis.

¹ The entry is unfinished.

² The names of eleven other jurors are given.

4. Coram Rege Roll, Hil., 31 Edward III. rex 16d.

Linc'. Iuratores diversorum hundredorum comitatus Lincoln' alias scilicet termino Pasche anno regni regis nunc Anglie vicesimo tercio coram domino rege apud Lincoln' presentaverunt quod quidam pons vocatus Hathaybrigg' dirrutus est et confractus et debet reparari per villatam de Saxilby et episcopum Lincolnensem et quod quidam pons vocatus Tilbrigge dirrutus est et debet reparari per episcopum Lincoln' villatam de Streton' villatam de Stowe et villatam de Broxholm: et quod pons de Hathaybrigg' iuxta Saxilby non est reparatus et episcopus Lincolnensis tenetur reparare orientalem partem pontis predicti.

Per quod preceptum fuit vicecomiti quod venire faceret predictum episcopum ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venit predictus episcopus per Ricardum de Friseby attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontes predictos seu aliquam partem pontium predictorum reparare et sustentare non debeat; dicit quod nec ipse nec predecessores sui episcopi loci predicti pontes predictos seu aliquas partes pontium predictorum reparaverunt seu de iure reparare tenentur et hoc petit quod inquiratur per patriam etc. Et Simon de Kegworth' qui sequitur pro domino rege dicit quod predictus episcopus et omnes predecessores sui episcopi loci predicti a tempore quo non extat memoria pontes predictos in forma qua superius presentatum est reparaverunt et de iure reparare tenentur et hoc pro domino rege offert verificare per patriam etc.: et predictus episcopus similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.: et predictus episcopus in misericordia eo quod venit per magnam districtionem.

5. Coram Rege Roll, Hil., 41 Edward III. rex 14d.

Lincoln'. Alias coram Gilberto Dumframvill' comite Danegos et sociis suis iusticiariis ad diversas felonias et transgressionem in comitatu Linc' audiendas et terminandas assignatis apud Linc' extitit presentatum quod pontes vocati Tilbrigges sunt fracti et penitus prostrati ad grave dampnum et periculum totius populi ibidem transeuntis et equitantis et debent reparari et sustentari per Iohannem episcopum Lincolnensem et villatas de Stratton' et Braunceby ex parte occidentali:

quod quidem indictamentum dominus rex inter alia venire fecit coram eo terminandum etc.

Per quod preceptum fuit vicecomiti quod venire faceret predictum episcopum et predictas villatas ad respondendum etc.

Et modo scilicet die Iovis proxima post crastinam Purificacionis beate Marie coram domino rege apud Westmonasterium venerunt tam predictus episcopus quam predictae villate per attornatos suos etc. et quesitum est ab eis separatim si quid pro se sciant vel dicere habeant quare pontes predictos reparare et sustentare non debeant etc.: qui dicunt separatim quod ipsi non debent reparare nec sustentare pontes predictos nec tenentur prout super ipsos presentatum est et de hoc ponunt se super patriam. Et Thomas de Shardelowe qui sequitur pro domino rege etc. dicit quod pontes predicti fracti et penitus prostrati ad grave dampnum et periculum totius populi ibidem transeuntis et equitantis et debent reparari et sustentari per predictum episcopum et predictas villatas prout superius presentatum est etc. et hoc similiter pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Et continuato inde processu versus prefatum episcopum et prefatas villatas per iuratas positas in respectum coram domino rege usque a die Pasche in xv dies anno regni regis nunc Anglie quadragesimo quinto, ad quem diem coram domino rege apud Westmonasterium venerunt predicti episcopus et villate per attornatos suos et super hoc scilicet alias termino sancti Michaelis anno regni regis nunc quadragesimo quarto dominus rex mandavit dilectis et fidelibus suis Iohanni Knyvet et sociis suis iusticiariis hic breve suum clausum in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Iohanni Knyvet et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Mandamus vobis quod inquisitionem que inter nos et Iohannem episcopum Lincoln' et villatas de Stratton' et Braunceby de reparacione [et] emendacione poncium vocatorum Tillebrigges in comitatu Lincoln' ex parte occidentali restat capienda per breve nostrum de nisi prius coram aliquibus iusticiariorum nostrorum iuxta formam statutorum inde editorum et legem et consuetudinem regni nostri Anglie capi demandetis. Teste me ipso apud Westmonasterium tercio die Novembris anno regni regis nunc (sic) Anglie quadragesimo quarto regni vero nostri Francie tricesimo primo.

Pretextu cuius brevis iurata ad recognoscendum etc. si episcopus Lincoln' villata de Stratton et villata de Braunceby pontes vocatos

Tillebriggis reparare et sustentare ex parte occidentali teneantur necne ponitur in respectum coram domino rege usque a die sancti Michaelis in unum mensem ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignati prius die Iovis proxima post festum sancte Margarete Virginis apud Linc' venerint pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum etc. vel coram prefatis iusticiariis ad prefatos diem et locum etc. Idem dies datus est prefato episcopo etc. Ad quem diem coram domino rege apud Westmonasterium venerunt predictus episcopus et predictae villate per attornatum suum et Thomas de Ingelby et Iohannes Cavendish' coram quibus etc. miserunt recordum veredicti iurate predictae coram eo (*sic*) habite in hec verba :

Postea die et loco infracontentis coram Thoma de Ingelby et Iohanne Cavendish' iusticiariis ad assisas etc. venerunt tam predictus episcopus quam predictae villate per attornatos suos et similiter iuratores venerunt qui super premissis infracontentis electi triati et iurati dicunt super sacramentum suum quod predicti episcopus et villate non tenentur pontes predictos ex aliqua parte reparare nec sustentare prout per presentationem predictam supponitur etc. Ideo consideratum est quod predicti episcopus et villate eant inde sine die salvo semper iure regis etc. si quod etc.

6. Coram Rege Roll, Easter, 43 Edward III. rex 18d.

Linc'. Alias coram Gilberto Dumframvill' comite Dangos et sociis suis nuper iusticiariis domini regis ad diversas felonias et transgressiones in comitatu predicto audiendas et terminandas assignatis extitit presentatum quod pontes vocati Tilbrigges sunt fracte (*sic*) et penitus prostrate ad grave dampnum et periculum totius populi ibidem trans-euntis et equitantis et debent reparari et sustentari per villatam de Scampton' et abbatem de Kirkestede ex parte orientali : quod quidem indictamentum dominus rex inter alia certis de causis coram eo venire fecit terminandum.

Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege apud Westmonasterium venit predicta villata per Willelmum de Statherne attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare pontes predictos reparare et sustentare non debeat : que dicit quod ipsa pontes predictos reparare seu sustentare non debet nec tenetur nec villata predicta a tempore quo

non extat memoria pontes predictos de iure reparavit nec sustentavit et de hoc ponit se super patriam etc. Et Thomas de Shardelowe qui sequitur etc. dicit quod pontes predicti debent reparari et sustentari per predictam villatam prout superius super ipsas (*sic*) presentatum est et hoc pro domino rege offert verificare per patriam etc. : et predicta villata similiter. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu versus prefatam villatam per iuratas positas in respectum coram domino rege usque in octabis sancte Trinitatis anno regni regis nunc Anglie quadragesimo octavo ad quem diem coram domino rege apud Westmonasterium venit predicta villata per attornatum suum et vicecomes non misit breve. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque a die sancti Michaelis in xv dies ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignati prius die Veneris proxima post festum sancti Iacobi Apostoli apud Linc' venerint pro defectu iurate quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatos diem et locum etc. : ad quam quindenam sancti Michaelis coram domino rege apud Westmonasterium venit predicta villata per attornatum suum et predicti iusticiarii coram quibus etc. miserunt recordum veredicti iurate predictae coram eis habite in hec verba :

Postea die et loco infracontentis coram Willelmo de Wychyngham et Thoma de Ingilby iusticiariis regis ad assisas etc. venit predicta villata de Scampton' per attornatum suum predictum et iuratores similiter venerunt et, super hoc facta proclamacione si aliquis pro domino rege dictos iuratores super premissis informare voluerit quod tunc veniret ibidem dictos iuratores plenius informando etc., et pro eo quod nullus venit predicti iuratores ex consensu villate predictae super premissis infracontentis electi triati et iurati dicunt super sacramentum suum quod villata predicta pontes predictos reparare nec sustentare non debet nec tenetur nec a tempore quo non extat memoria pontes illos de iure reparaverunt nec sustentarunt prout per presentacionem predictam supponitur. Et quia curia nondum avisatur de iudicio inde reddendo, ideo dies datus est eidem villate usque a die Pasche in xv dies ubicumque etc. Postea termino sancti Michaelis anno regni regis Ricardi secundi post conquestum quinto coram domino rege apud Westmonasterium venit predicta villata

per attornatum suum et inspecto veredicto iurate predicte consideratum est quod predicta villata eat inde sine die etc.

7. Coram Rege Roll, Hil., 28 Edward III. rex 26d.

Lincoln'. Iuratores diversorum hundredorum comitatus Lincoln' alias coram domino rege scilicet termino sancti Hillarii anno regni regis nunc Anglie vicesimo tercio presentaverunt quod Tilbrigg' est dirrutus et debet reparari per Thorp' et Carleton'.

Per quod preceptum fuit vicecomiti quod venire faceret predictas villatas ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege hic venerunt predictae villate per Ricardum de Friseby attornatum suum et quesitum est ab eo si quid pro se habeant vel dicere sciant quare pontem predictum reparare non debeant; dicunt quod ipsi pontem predictum non tenentur reparare de iure nec aliquo tempore fecerunt seu reparaverunt et de hoc ponunt se super patriam etc. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

8. Coram Rege Roll, Trin., 6 & 7 Richard II. rex 20.

Lincoln'. Iuratores diversorum wappentachiorum comitatus predicti alias coram domino Edwardo nuper rege Anglie avo domini regis nunc anno regni predicti avi vicesimo tercio apud Lincoln' presentaverunt quod Tylbrigg' est dirrutus et debet reparari per Thorp' Carleton' et Broxholm'.

Per quod preceptum fuit vicecomiti quod venire faceret predictas villatas ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Westmonasterium venerunt tam villata de Thorp' per Iohannem de Sadyngton' attornatum suum quam villate de Carleton' Wilker et Broxholm' per Willelmum de Statherne attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare non debeant; que dicunt quod ipse pontem predictum non tenentur reparare nec aliquis tenencium terrarum seu tenementorum villatarum predictarum pontem predictum aliquo tempore fecerunt seu de iure reparare debeant et de hoc ponunt se super patriam etc. Et Thomas Shardelowe qui pro domino rege sequitur dicit quod villata (*sic*) de Thorp' Carleton' Wilker et Broxholm' predictis pontem predictum vocatum Tylbrigg' reparare debeant sicut superius super ipsas

presentatum est et hoc pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancti Michaelis ubicumque etc. et qui etc. ad recognoscendum etc. quia tam etc.

Postea continuato inde processu versus prefatas villatas per iuratas positas in respectum coram domino rege usque in octabis sancte Trinitatis anno regni regis nunc septimo, ad quem diem coram domino rege apud Westmonasterium venerunt predictæ villate per attornatum suum et iuratores non venerunt. Ideo iurata predicta posita fuit in respectum coram domino rege virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque in octabis sancti Michaelis ubicumque etc. nisi iusticiarii domini regis ad assisas in comitatu predicto capiendas assignati prius die Iovis proxima post festum sancti Iacobi Apostoli apud Lincolniam venerint pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum etc. vel coram prefatis iusticiariis ad prefatum diem et locum si etc. Idem dies datus est prefatis villatis de Thorp' et aliis etc. Ad quas octabas sancti Michaelis coram domino rege apud Westmonasterium venerunt predictæ villate per attornatum suum predictum et Willelmus de Skipwith' et Willelmus de Burgh' iusticiarii etc. miserunt recordum veredicti iurate predictæ coram eis habite in hec verba :

Postea die et loco infracontentis coram Willelmo de Skipwith' et Willelmo de Burgh' iusticiarii domini regis ad assisas etc. venerunt villate de Thorp Carleton' Wilker et Broxholme infranominate per attornatos suos infranominatos et iuratores similiter venerunt et, super hoc facta proclamacione quod si aliqui qui pro domino rege iuratores super premissis infracontentis informare voluerint quod tunc venirent ibidem dictos iuratores plenius informando, et pro eo quod nullus venit predicti iuratores super premissis infracontentis electi triati et iurati dicunt super sacramentum suum quod villate predictæ pontem predictum non tenentur reparare nec aliquis tenencium terrarum seu tenementorum villate predictæ pontem predictum aliquo tempore fecerunt seu de iure reparare debent. Ideo consideratum est quod predictæ villate de Thorp' Carleton' Wilker et Broxholme eant inde sine die salvo semper iure domini regis si quod etc.

These proceedings, so far as they relate to Till Bridge, which is north of Saxilby, may be taken to represent a series of ineffectual attempts to fix on some individual or corporate body responsibility for the repair of that bridge. Hathow is a hamlet to the east of Saxilby, and Merton bridge may possibly be near the village of Marton.

XCIX.

DYKES, ROAD AND TOLL NEAR BOURN.

1. Presentment in Easter term, 1349, that the township of Thurlby ought to repair the marsh dyke called Edyk from Kates Bridge to East Cotes on the north of Bourn Eau and have not done so, whereby Spalding Marsh is flooded.

Precept to the sheriff.

On the octave of Hilary, 1353-4, the said township came before the king by Adam de Lound, their attorney, and said that they were only bound to repair the said dyke from Kates Bridge to Baston Cote and thence to a cross near by, and that the said part of the aforesaid dyke is and was at the time of the presentment in good repair, and that they were not bound to repair the said dyke from the said cross to East Cotes by Bourn Eau, and they sought the verdict of the country.

After postponements and upon a writ of *nisi prius* in three weeks of Easter, 1365, Richard de Friseby, suitor for the king, and the said township by their attorney came before the king at Westminster, and John Knyvet, justice, sent the verdict of a jury given on Thursday, 27 March, at Stamford that the said township was not bound to repair the said dyke called Edyk except from Kates Bridge to Baston Cote and thence to a cross near by, and that this part thereof is and was at the time of the presentment sufficiently repaired. Therefore the said township went without a day.

2. Presentment in the aforesaid term before the king at Lincoln that the township of Pinchbeck ought to repair the marsh dykes called Edyk of Pinchbeck from East Cotes to Douneshirne and have not done so, whereby the Bourn Eau floods the marsh called North Fen.

Precept to the sheriff.

In Michaelmas term, 1365, the said township came before the king at Westminster by William de Stathern, their attorney, and denied their liability and put themselves upon the country.

After postponements, on Monday, 26 November, 1375, the men of the said township came before the king at Lincoln by their said attorney, and a jury came and said that the said township was bound to repair the said dyke, not from East Cotes to Douneshirne, but from Douneshirne to Guthram, and that the latter part of the said dyke was sufficiently repaired, and they said that the abbot and township of Bourn ought to repair the said dyke from Guthram Gowt to East Cotes, which part was at the present time ruinous. Therefore the said township of Pinchbeck went without a day, and the sheriff was ordered to cause the appearance of the said abbot and township of Bourn.

On the octave of Hilary, 1381-2, the said abbot and the last-named township came before the king at Westminster by William de Stathern, their attorney, and said that neither they nor any of their predecessors were ever

liable to repair the said dyke as was presented. Thomas de Shardelowe, suitor for the king, said that they were so liable, and he and the said abbot and township sought the verdict of the country. After postponements and upon a writ of *nisi prius* in three weeks of Easter, 1387, the said parties came by their attorney, and John de Holte, justice of the Common Bench, sent the verdict of a jury given before him and Thomas Pynchebek on Thursday, 14 March, at West Deeping that neither the said abbot nor township nor any of their predecessors were ever bound to repair the said dyke from Guthram Gowt to East Cotes nor any parcel thereof. Therefore they went without a day.

3. Presentment in Easter term, 1349, that the township of Baston ought to repair the marsh dyke called Edyk from Kates Bridge to Estcote on the south of Bourn Eau and have not done so, whereby Spalding marsh has been several times flooded.

Precept to the sheriff.

On the octave of Trinity, 1383, the men of the said township came before the king at Westminster by William de Statherne, their attorney, and said that they were only bound to repair the said dyke jointly with the township of Langtoft, and that it was not broken as was presented. Thomas de Shardelowe, suitor for the king, said that they alone were bound to repair the said dyke and that it was broken; and he and the said township sought the verdict of the country. A jury was summoned for the octave of Michaelmas and the men of the township of Baston sought a writ to the sheriff to summon the township of Langtoft.

After postponements on 3 November the said townships came before the king at Westminster by their attorney, and the township of Langtoft acknowledged their joint liability with the township of Baston to repair the said dyke within the bounds named, and the men of each township were amerced half a mark.

4. Presentment by a jury of Ness wapentake [in Michaelmas term, 1375,] that the hamlet of Obthorpe ought to repair a road called Aylmerlane at the end of the hamlet, and have not done so.

5. Presentment [in the same term] by a jury of Stamford and Ness wapentake that Alan Jerardyn and Nicholas Charite, bailiffs of lady de Wake, took toll at the end of Baston on the Street between Stowe Cross and Kates Bridge, where she has no such right, for ten years past and more, taking £2 and more from Robert de Staunford, William Fishere, Robert Suur and others.

1. Coram Rege Roll, Hil., 28 Edward III. rex 26.

Lincoln': Iuratores diversorum hundredorum comitatus Lincoln' alias coram domino rege scilicet termino Pasche anno regni regis nunc Anglie vicesimo tercio presentaverunt quod villata de Thurleby debet et tenetur reparare fossatum marisci vocati Edyk' de Katebrigg' usque le Est Cotes ex parte boriali ripe vocate le Brunne Hee et non

faciunt ad grave dampnum tocius populi et inundacionem (*sic*) tocius marisci de Spaldyng'.

Ita quod tunc preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii coram domino rege venit predicta villata per Adam de Lound' attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare fossatum predictum reparare et mundare non teneatur: dicit quod ubi supponitur per presentacionem predictam quod dicta villata debet et tenetur reparare fossatum predictum iuxta predictam ripam vocatam Brunhee non debet nec tenetur reparare dictum fossatum nisi de Catebrigg' usque Baston' Cote et de Baston Cote usque crucem propinquam iuxta Baston Cote et quo ad illud sufficienter reparatum est et fuit ante presentacionem predictam et hoc paratus est verificare per patriam etc.: et quo ad illud fossatum de cruce predicta usque le Estcote iuxta Brunhee dicit quod non debet nec tenetur reparare prout per presentacionem predictam supponitur et hoc paratus est verificare per patriam etc. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu coram domino rege usque in octabas sancti Hillarii anno regni regis nunc tricesimo nono, ad quem diem coram domino rege apud Westmonasterium venit tam Ricardus de Friseby qui sequitur pro domino rege etc. quam predicta villata de Thurleby per Willelmum Statherne attornatum suum et vicecomes non misit breve etc. Et super hoc dominus rex mandavit Henrico Grene et sociis suis iusticiariis hic breve suum sub privato sigillo suo in hec verba: Edward par la grace de Deuy roi Dengleterre seigneur Dirlande et Dacquitaigne a nos chers et foialx Henri Grene et ses compaignouns nos iustices assignez por tener les pledz devaunt nous salut. Nous vous maundons que, si les gentz de la ville de Thurleby de counte de Nichole eient traverse le presentement sur eaux fait devaunt nous lan de nostre (*sic*) vint et secoude (*sic*) de ceo que mesme la ville estoit tenuz de reparailier et sustener la fesse de mareys appelle Edyk' de Catebrigge tanque le Estcotes de la partie del rivere appelle Brunnehee devers le North eu aquin parcelle de la matiere comprise en mesme le presentement et sur ceo enqueste seit a prendre par entre nous et la dite ville, qadunqe facez prendre mesme lenqueste en pais par nostre bref nisi prius par gentz suffisantz et nient supectz en aese de eux qui serount jurez en lenquest susdite. Done soutz nostre prive seal a Westm' le vij jour de Fevere lan de nostre regne trent et neofizme. Pretextu cuius brevis iurata predicta ponitur in respectum coram

domino rege usque a die Pasche in tres septimanas ubicumque etc. nisi Iohannes Kyvet (*sic*) unus iusticiariorum regis prius die Iovis proxima post mediam Quadragesimam proximam apud Staunford' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora etc. Et modo scilicet ad prefatas tres septimanas Pasche coram domino rege apud Westmonasterium venit tam Ricardus de Friseby qui sequitur etc. quam predicta villata per attornatum suum etc. Et Iohannes Knyvet coram quo etc. misit hic recordum veredicti coram eo habiti in hec verba :

Postea die et loco infra contentis coram Iohanne Knyvet associato sibi Iohanne Harwedon' per formam statuti etc. venit villata de Thurleby per attornatum suum infranominatum et iuratores similiter venerunt qui ad hoc electi et iurati dicunt super sacramentum suum quod predicta villata non debet nec tenetur reparare fossatum infrascriptum vocatum Edyk' nisi de Catebrigge usque Baston Cote et de Baston Cote usque crucem propinquam iuxta Baston Cote et quo ad hoc dicunt quod sufficienter reparatum est et fuit ante presentacionem infracontentam scilicet in termino Pasche anno regni regis nunc vicesimo tercio et ulterius dicunt quod de predicta cruce usque le Estcote iuxta Brunnehee non debet nec tenetur reparare prout per presentacionem predictam supponitur. Ideo consideratum est quod predicta villata eat inde sine die salvo semper iure regis etc.

2. Coram Rege Roll, Mich., 39 Edward III. rex 25d.

Linc'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis vicesimo tercio coram domino rege apud Lincoln' presentaverunt quod villata de Pynchebek' tenetur reparare fossata marisci vocata Edyk de Pynchebek' del Estcote usque Dousnehirne ita quod aqua de Brunehee non inundaret mariscum vocatum Northfenne et non est reparata : per quod dictus mariscus inundatur.

Per quod preceptum fuit vicecomiti quod venire faceret eam etc.

Et modo in eodem termino coram domino rege apud Westmonasterium venit predicta villata per Willelmum Stahern' attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare fossatum predictum mundare non debeant ; qui dicit quod ipse (*sic*) fossatum predictum non tenentur reparare neque mundare nec ipse nec aliquis villate predictae unquam fossatum illud reparaverunt seu mundaverunt nec de iure mundare tenentur et de hoc ponit se super

patriam etc. Ideo veniat inde iurata coram domino rege in octabis Sancti Hillarii ubicumque etc. ad recognoscendum etc. Postea [continuato] inde processu coram domino rege versus villatam predictam usque diem Lune proximo post quindenam sancti Martini anno regni regis nunc Anglie quadragesimo nono, ad quem diem coram domino rege apud Linc' venerunt homines villate predictae per attornatum suum predictum et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicta villata de Pynchebek' non tenetur reparare fossatum marisei vocati Edyk a (sic) Pynchebek del Estcote usque Douneshirne prout superius presentatum est set dicunt quod predicta villata de Pynchebek tenetur reparare fossatum marisei predicti vocatum Edyk a Douneshirne usque Goderamescote quod modo sufficienter reparatum est: et eciam dicunt quod abbas de Brune et villata de Brune tenentur reparare fossatum marisei predicti a Goderamescote usque Estcote, que quidem pars fossati predicti modo est ruinoso et defectiva etc. Ideo consideratum est quod predicta villata de Pynchebek' eat inde sine die salvo semper iure regis si quod etc. Et preceptum est vicecomiti quod non omittat etc. quin venire faciat predictos abbatem de Brun' et villatam de Brun' ad respondendum etc.

Coram Rege Roll, Hil., 5 Richard II. rex 26d.

Linc'. . . . Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venerunt predicti abbas et homines villate per Willelmum de Stathern' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare fossatum predictum reparare non debeant: qui quidem abbas et villata dicunt quod ipsi non tenentur reparare fossatum marisei predictum nec predictus abbas nec predecessores sui seu predicti homines villate predictae seu antecessores sui unquam fossatum predictum reparaverunt seu de iure reparare tenentur prout super ipsos presentatum est et de hoc ponunt se super patriam etc. Et Thomas de Shardelowe qui pro domino rege sequitur dicit quod predictus abbas et homines villate predictae fossatum predictum de iure reparare tenentur a Goderamescote usque Estcote sicut super ipsos presentatum est et hoc pro domino rege offert verificare etc. et predictus abbas et homines villate predictae similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefato abbati et hominibus villate predictae etc.

Postea continuato inde processu versus prefatos abbatem et villatam per iuratas positas in respectum coram domino rege usque in octabis sancti Hillarii anno regni regis nunc decimo, ad quem diem coram domino rege apud Westmonasterium venerunt predicti abbas et homines villate predictae per attornatum suum predictum et vicecomes retornavit nomina iuratorum quorum nullus etc. Ideo iurata predicta ponitur in respectum coram domino rege virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda usque a die Pasche in tres septimanas ubicumque etc. nisi dilectus et fidelis domini regis Iohannes Holte unus iusticiariorum ipsius regis de Communi Banco prius die Iovis proxima post festum sancti Gregorii pape apud Westdepyng' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum vel coram prefatis iusticiariis ad prefatum diem et locum etc. Idem dies datus est prefato abbati et hominibus villate de Brunne etc. Ad quem diem venerunt predicti abbas et homines villate predictae per attornatum suum et Iohannes Holte coram quo etc. misit recordum veredicti iurate predictae coram eo habite in hec verba :

Postea die et loco infracontentis coram Iohanne Holte uno iusticiariorum domini regis de Communi Banco associato sibi Thome Pynchebek' per formam statuti etc. venit abbas de Bourn' infranominatus et homines villate de Bourn' per Willelmum Statherne attornatum suum et similiter iuratores exacti venerunt et super hoc facta publice proclamacione prout moris est quis pro domino rege prosequi calumpniare vel informare sciret vel vellet in hac parte nullus ad hoc faciendum comparuit, super quo processum est ad capcionem inquisicionis predictae per iuratores prius impanellatos et modo comparentes : qui quidem iuratores ad veritatem de infra contentis dicendam electi triati et iurati dicunt super sacramentum suum quod predicti abbas et villata sive homines aut aliquis homo eiusdem villate non tenentur reparare fossatum marisei vocati Edyk a Goderamcote usque Estcote nec aliquam parcellam inde nec idem nunc abbas nec predecessores sui nec homines villate predictae aut aliquis eorum unquam fossatum predictum vel aliquam parcellam eiusdem repararunt sive de iure tenebantur prout per presentacionem predictam supponitur. Ideo consideratum est quod predicti abbas et homines villate predictae eant inde sine die etc.

3. Coram Rege Roll, Trin., 6 & 7 Richard II. rex 3.

Lincoln. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni domini Edwardi nuper regis Anglie avi domini regis nunc vicesimo tercio coram ipso avo apud *Lincoln* presentaverunt quod villata de *Baston* debet et tenetur reparare fossatum vocatum *Edyk* de *Catebrigge* usque *Estkote* ex parte australi ripe vocate le *Brunne Hee* et non faciunt ad grave dampnum tocius populi: per quod mariseus de *Spaldyng* inundatur per plures vices.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet in octabis sancte Trinitatis isto eodem termino coram domino rege apud *Westmonasterium* venerunt homines predictae villate per *Willelmum* de *Stathern* attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare fossatum predictum vocatum *Edyk* de *Catebryge* usque *Estkote* ex parte australi ripe vocate le *Brunne Hee* reparare non debeant; dicunt quod ubi presentatum est quod villata de *Baston* solomodo per se tenetur reparare fossatum vocatum *Edyk* de *Catebryge* usque *Estkote* ex parte australi ripe vocate le *Brunne Hee* quod ipsa villata de *Baston* et villata de *Langetoft* coniunctim tenentur reparare fossatum predictum infra loca predicta ex parte australi predicta et quod fossatum illud infra loca predicta ex parte australi predicta non est dirrutum neque fractum prout per presentationem predictam supponitur et hoc parati sunt verificare per patriam. Et *Thomas* de *Shardelowe* qui sequitur pro domino rege dicit quod predicta villata de *Baston* tenetur sola reparare fossatum predictum prout super villatam illam presentatum est et quod fossatum predictum dirrutum est et confractum et hoc pro domino rege offert verificare per patriam etc.: et predicti homines villate predictae de *Baston* similiter. Ideo veniat inde iurata coram domino rege in octabis Sancti Michaelis ubicumque etc. et qui etc. ad recognoscendum etc. Et super hoc homines predictae villate de *Baston* petunt breve vicecomiti comitatus predicti de venire faciendo prefatam villatam de *Langetoft* ad ostendendum tam pro domino rege quam pro se ipsa quare fossatum predictum simul cum prefata villata de *Baston* reparare non debeant etc.

Postea continuato inde processu coram domino rege usque in crastino Animarum tunc proximo sequente ubicumque etc., ad quem diem coram domino rege apud *Westmonasterium* venerunt tam homines villate de *Baston* quam homines predictae villate de *Langetoft* per *Willelmum* *Stathern* attornatum suum et quesitum est a prefatis

hominibus villate de Langetoft si quid pro se habeant vel dicere sciunt quare fossatum predictum de Catebrigge usque Eskote ex parte australi ripe vocate le Brune Hee simul cum prefata villata de Baston' reparare non debeant, qui quidem homines villate de Langetoft' per attornatum suum predictum dicunt quod ipsi non possunt dedicere quin ipsi dictum fossatum de Catebryge usque Eskote ex parte australi ripe vocate le Brunne Hee simul cum prefata villata de Baston' reparare tenentur et quod ipsi fossatum predictum simul cum predicta villata de Baston' per bundas predictas reparare parati sunt tociens quociens necesse fuerit etc. Ideo homines villatarum predictarum pro non reparacione fossati predicti in misericordia et afforatur per iusticiarios ad dimidiam marcam. Et preceptum est vicecomiti quod non omittat etc. quin distringat homines villatarum predictarum per omnes terras etc. ita quod securus sit quod homines villatarum predictarum fossatum predictum per bundas predictas annuatim ad custus hominum villatarum predictarum ad plenum reparetur tociens quociens necesse fuerit etc. et qualiter etc. constare faciat domino regi in octabis Sancti Hillarii ubicumque etc.

4. Ancient Indictments File 59 m. 25.

Nesse ij: per iuratores prime inquisitionis.

Duodecim iuratores presentant . . . quod hameleta de Obbthorp tenetur reparare unam viam ad finem hamelete de Obbethorp vocatam Aylmerlane et non est reparata ad grave dampnum omnium interveniencium.

5. Ancient Indictments File 59 m. 51.

Villa de Stamford'—Nesse.

Xij iurati presentant . . . quod Alanus Jerardyn et Nicholaus Charite ballivi et servientes domine de Wake ceperunt tolnetum ad finem villate de Baston' super le Strete inter Stowe Cros et Katebrigge ubi non habet dominium nec de iure tolnetum habere debet nec solet et hoc fecerunt per x annos et amplius proxime iam preteritos videlicet de Roberto de Staunford' Willelmo Fishere Rogero Suur et aliis ad summam xl solidorum et amplius ad grave dampnum omnium ibidem transeuncium.

The Edyk named in these presentments appears to be the river Glen, and more particularly the parts of it immediately south-west and north-east of the point where Bourne Eau runs into it. E and Ee in all these documents is represented by Eau in modern Lincclshire topography.

C.

GUTTERS, BRIDGE AND CAUSEY NEAR SWINESHEAD.

1. Mandate dated 8 July, 1359, to the justices of the King's Bench to proceed upon a certain presentment returned into chancery upon a writ of error.

The said writ of error, dated 3 June, directing William de Huntyngheld, one of the justices of sewers, by reason of certain errors alleged by the townships of Gosberton and Surfleet, to send into chancery the said presentment.

The said presentment, made on Friday 5 April,

(1) that a gutter in Sutterton called Wysterdegote is broken and ought to be repaired by the said township ;

(2) that Wigtoftgote ought to be repaired by the townships of Wigtoft and Swineshead ;

(3) that the last named township ought to repair Swineshead Eau from the north of the said town to Bicker Eau, and that the townships of Bicker, Donnington, Quadring, and Gosberton ought to repair Bicker Eau from its beginning to the sea, and make it twenty-four feet broad and six feet deep, namely Bicker from the beginning to Coudestake, Donnington thence to Quadring, Quadring together with the commoners thence to Gosberton, and Gosberton thence to the sea, and that Bicker Eau ought to be open throughout the year and must be repaired ;

(4) that a gutter in Quadring called Augote is destroyed and ought to be made anew and to be moved from its present position [so that it flows] in a line to the sea for a space of 100 perches, and that the courses of the water flowing down in its sewers are stopped up and that the banks should be raised four feet by reason of the inundation of the sea, and that the tenants of land draining into it are bound so to do ;

(5) that the Stangote of Gosberton is destroyed and ought to be renewed by the tenants of seven carucates in Surfleet and five carucates in Gosberton in equal portions ;

(6) that the Newegote of Surfleet is destroyed and ought to be repaired and the sewer serving it cleaned and dug as far as Toftisbrigge to a depth of two feet by the township of Surfleet ;

(7) that the township of Gosberton ought to maintain a gutter called le Thurgote which is of no use in its present place by reason of the ebb and flow of the sea, which has so increased between the said gutter and Saltnee, which is an arm of the sea, that Gosberton and Surfleet are almost submerged : and that the said gutter ought to be placed where it was of old time by the Holdehee in Surfleet, and the sewer that once served for the Crossgote ought now to serve for the Thurgote as far as Calvethedam, and that a new sewer ought to be made thence in an old trench between land of the prior of Spalding and land late of Nicholas de Ry on one side and land of John de Cressy and the

heir of Robert Capon on the other in the St. Lawrence Newland, and the said trench ought to be enlarged by taking 16 perches of land by 8 feet worth 4s. 2d. at the rate of 8 marks an acre from the said prior, 8 perches of land by 8 feet worth 2s. from the land late of the said Nicholas, 24 perches of land by 8 feet worth 6s. 3d. from the said John, and 8 perches of land by 16 feet from the heir of the said Robert worth 4s. 6d., and from two selions of land of the aforesaid John 5 perches by 16 feet worth 2s. 8d. : from that point the said sewer ought to descend to an old common trench abutting on the sea dyke where the gutter called le Thurgote ought to be set, and thence it ought to follow the course of a common creek called le Holdele in Surfleet marsh to Surfleet shore and so to the sea : and that the said creek ought to be widened by eight feet : and that the said gutter ought to be maintained and enlarged by the tenants of lands in Gosberton between Algarlode and Surfleet ;

(8) that the gutter called Crossgote is of no use in its present place for the reason above named, and ought to be placed by the Newgote of Surfleet, going by the said Newgote down to the sea, and ought to be maintained by the holders of seven carucates in Surfleet and five carucates of Gosberton ;

(9) and that the sea-dykes and marsh-dykes of Surfleet, Gosberton, and Quadring are too weak and low, but that it is not known who should repair them.

Precept to the sheriff.

On the octaves of St. Martin, 1361, the said townships and the others came before the king at Westminster and acknowledged their liability, and were amerced therefor and also because they came by grand distress.

2. Presentments in Michaelmas term, 1375, by a jury of Spalding that the townships of Swineshead and Wigtoft ought to repair Swineshead Eau from Candilbyhill to Bicker Eau, which is obstructed and not cleaned.

3. Presentment in the same term by a jury of Aswardhurn wapentake that a sewer extending from Helpringham Eau to Bikerhengdyk called Benwelldyk in Bicker, which ought to drain Helpringham, Hale, and other towns to the west, is obstructed so that the pastures of the said towns are flooded by default of the township of Bicker : and that the ditch called le Oldee between Holland marsh and Heckington marsh ought to be repaired towards the east by the eight hundreds of Holland and towards the west by the township of Heckington from Baberheth to Hoggeheth in Westcroft and is not repaired : and that the said ditch of Hoggeheth ought to be repaired as far as the river Witham by the said eight hundreds and is not repaired : and that the ditch from Baberheth in Heckington to the Ladyscirth in Swineshead marsh ought to be repaired by the said eight hundreds and is not repaired.

4. Presentment on Friday, 12 October 1375, by a jury of Kirton wapentake that a bridge called Fishmere bridge is broken and ought to be repaired by the townships of Sutterton and Algarkirk : that a foot bridge called Toftbrygge between Gosberton and Surfleet ought to be repaired by the latter township and that the township of Heckington with Garwick have always repaired and ought to repair the northern half of a sewer called Garwick Eau which

is stopped up as far as the cowshed of the abbot of Swineshead called Westherwyk.

5. Presentment in the said term by a jury of Aswardhurn that the abbot of Bardney ought to repair the southern half of Garwick Eau, which is in good repair: and that the river of Bicker where the Dam is, which ought to be open throughout the year, is obstructed by default of the township of Bicker, whereby the pastures of Helpringham and Hale are flooded.

6. Presentment on Tuesday, 9 October 1375, by a jury of Aveland wapentake before the justices of the Common Bench at Lincoln that the sewers between Holland and Kesteven ought to be kept open from the middle of March to Martinmas by the townships of Donington and Quadring, who have stopped up the 'clowes' of Quadring to the damage of the townships of Horbling, Billingham, and Swaton in Kesteven of £5.

7. Presentment on Saturday, 20 November 1395, at Lammcoteholm before John de Skypwyth, sheriff, by a jury of Kirton wapentake that the causey called Parkedyke between Swineshead and Heckington is ruinous by default of the abbot of Bardney.

1. Coram Rege Roll, Mich., 35 Edward III. rex 17.

Linc'. Dominus rex mandavit Willelmo de Sharesull' et sociis suis iusticiariis domini regis ad placita coram ipso rege tenenda assignatis breve suum clausum in hec verba: Edwardus dei gracia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Willelmo de Sharesull' et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Cum nuper ad prosecutionem hominum villatarum de Gosberkyrk' et Surflete in wapentagio de Kirketon' in partibus Holand', nobis suggerencium in quadam presentacione coram dilecto et fideli nostro Willelmo de Huntynghfeld' et sociis suis iusticiariis nostris ad inquirendum de walliis gutteris seweris gurgitibus fossatis maris ac mariscis et pontibus in dictis partibus Holand' in comitatu Lincoln' assignatis de quibusdam gutteris et seweris in partibus predictis mundandis et sustentandis et quibusdam aliis de novo faciendis facta errorem intervenisse, presentacionem predictam coram nobis in cancellariam nostram venire fecerimus, quam quidem presentacionem vobis mittimus sub pede sigilli nostri, mandantes quod visa presentacione predicta ulterius super contentis in eadem ad prosecutionem omnium predictorum fieri faciatis quod de iure fuerit faciendum. Teste me ipso apud Westmonasterium viij die Iulii anno regni nostri Anglie tricesimo tercio regni vero nostri Francie vicesimo.

Breve prefatis Willelmo de Huntynghfeld' et sociis suis iusticiariis etc. ad inquirendum etc. tale est: Edwardus [*etc. ut supra*] dilecto et fideli suo Willelmo de Huntynghfeld' salutem. Quia in quadam presentacione coram vobis et sociis vestris iusticiariis

nostris ad inquirendum de walliis gutteris seweris gurgitibus fossatis maris ac mariscis et pontibus in wapentagio de Kyrketon' in partibus Holand in comitatu Lincoln' assignatis de quibusdam gutteris et seweris in partibus predictis mundandis et sustentandis et quibusdam aliis de novo faciendis facta error intervenerit manifestus ad grave dampnum villarum de Gosberkirk et Surllet' in wapentagio supradicto sicut ex querela sua accepimus, nos, errorem illum si quis fuerit modo debito corrigi et in premissis plenam et celerem iusticiam volentes exhiberi, vobis mandamus quod presentacionem predictam nobis in cancellariam nostram sub sigillo vestro distincte et aperte sine dilacione mittatis et hoc breve ut ulterius in hac parte fieri faciamus quod de iure et secundum legem et consuetudinem regni nostri Anglie fuerit faciendum Teste me ipso apud Westmonasterium tercio die Iunii anno regni nostri Anglie tricesimo tercio regni vero nostri Francie vicesimo.

Presentacio de qua in brevi predicto fit mencio sequitur in hec verba : Inquisicio capta apud Gosberkirk coram Willelmo de Huntyngfeld' milite Willelmo de Norton' milite Iohanne Claymund Rogero de Meres et aliis iusticiariis domini regis ad inquirendum de walliis gutteris seweris gurgitibus fossatis maris ac mariscis et pontibus in wapentagio de Kyrketon' in partibus Holand in comitatu Lincoln' assignatis die Veneris proxima ante festum sancti Guthlaci anno regni regis Edwardi tercii post conquestum Anglie tricesimo tercio per sacramentum Hugonis Gravenere de Sotterton'¹ . . . qui dicunt quod una guttera in Sotterton' que vocatur Wysterdegote est dirrupta et oportet de novo fieri in loco ubi nunc iacet et debet fieri reparari et sustentari per villatam de Sotterton'. Item dicunt quod Wygtoftgote habet necessitatem reparandi et debet reparari et sustentari per villatas de Wygtoft' et Swynesheved. Item dicunt quod villata de Swynesheved debet reparare emendare et sustentare Swynesheved Ee a capite boriali dicte ville usque Byker Ee et quod villate de Byker Donyngton' Quadryng et Gosberkirk debent reparare mundare et sustentare Byker Ee a principio de Byker Ee usque ad mare de latitudine viginti et quatuor pedum et de profunditate sex pedum, scilicet villata de Byker a principio de Byker usque Coudestake et villata de Donyngton' deinde quousque Quadryng et villata de Quadryng deinde cum comunariis usque Gosberkyrk' et villata de Gosberkirk deinde usque ad mare et illa Biker Ee debet esse aperta omni tempore anni et habet necessitatem reparandi. Item dicunt quod guttera de Quadryng vocata Augote est dirruta et oportet de novo fieri et necesse est quod amoveatur de loco ubi nunc iacet linialiter prope mare per spacium centum perticarum et quod omnes

¹ The names of ten other jurors are given.

cursus aquarum saleium descendencium in seweris eiusdem guttere versus campos obstupantur et costere eiusdem sewere ex utraque parte exaltentur per spacium quatuor pedum propter emundacionem (*sic*) maris et debet fieri reparari et sustentari imperpetuum per omnes tenentes terrarum et tenementorum que sewantur ad eandem. Item dicunt quod le Stangote de Gosberkirk est dirutus et oportet de novo fieri in loco ubi nunc iacet et debet fieri et sustentari imperpetuum per tenentes septem carucatarum de Surflete et quinque carucatarum de Gosberkirk equalibus porcionibus. Item dicunt quod le Newegote de Surflet' est dirutus et oportet reparari et sewera serviens ad eandem mundari et fodiari (*sic*) usque Toftisbrig' pro profunditate duorum pedum et debet fieri reparari et sustentari imperpetuum per villatam de Surflet'. Item dicunt quod villata de Gosberkirk debet facere et sustentare unam gutteram vocatam le Thurgote, que nullo modo potest servire in loco ubi nunc iacet propter refluxionem et incrementum maris que inter dictam gutteram et Saltnee acrevit, quod est brachium maris, propter quod villate de Gosberkirk et Surflet' fere submerse sunt; ideo necesse est pro salvacione dictarum villatarum quod dicta guttera ponatur alibi in loco ubi potest servire videlicet in quodam loco ubi quadam (*sic*) antiquitus iacere solebat in Surflet' iuxta le Holdehee; et sewera que solebat servire pro le Crosseote debet modo servire pro le Thurgote usque Calvethedam et ab illo loco quedam sewera est de novo facienda pro le Thurgote in una vetere fovea iacente inter terras prioris de Spaldyng' et terras quondam Nicholai de Ry militis ex parte una et Iohannis de Cressy et heredis Roberti Capon ex parte altera in le Seint Laurence Newland': que quidem fovea oportet elargari de omnibus terris predicti prioris quondam Nicholai de Ry et Iohannis de Cressy, videlicet de terra dicti prioris viij pedes in latitudine pro longitudine xvj perticatarum que valet iiij. et ijd. ad vendendum (et secundum valorem acararum octo marcarum) et similiter de terris quondam Nicholai de Ry militis octo pedes in latitudine pro longitudine octo perticatarum que valent duos solidos et unum denarium ad vendendum secundum precii (*sic*) predicti et de terris Iohannis de Cressy octo pedes in latitudine pro longitudine viginti et quatuor perticatarum que valent sex solidos tres denarios ad vendendum secundum precii predicti et tunc ultra terram heredis Roberti Capon per sexdecim pedes in latitudine pro longitudine octo perticatarum que valent quatuor solidos et sex denarios ad vendendum secundum precii predicti et a terra dicti heredis ultra duos seliones terre dicti Iohannis de Cressy pro latitudine sexdecim pedum et pro longitudine quinque perticatarum que valent duos solidos et octo denarios ad vendendum secundum

precii predicti et a dictis selionibus descendendo in quandam antiquam magnam foveam communem abbuttantem super fossatum maris ubi dicta gutera debet poni que vocatur Thurgote et ab illo loco ubi dicta gutera debet poni per unam veterem crike communem que vocatur le Holdele iacentem in communi marisco de Surflet usque Surflet' Shore et sic ad mare et illa crika debet elargari de latitudine octo pedum : et dicta gutera debet fieri reparari et sustentari per omnes tenentes terrarum et tenementorum in Gosberkirk inter Algerlode et Surflet'. Item dicunt quod le Crosseote non potest servire in loco ubi nunc iacet racione prenotate (*sic*) : ideo necesse est quod ponatur iuxta le Newgote de Surflet' decendentem (*sic*) versus mare in seweram de le Newgote de Surflet' et debet reparari sustentari per tenentes septem carucatarum de Surflet' et quinque carucatarum de Gosberkirk imperpetuum. Item dicunt quod fossate maris et marisci de Surflet' Gosberkirk et Quadring sunt nimis debiles et basse et ignoratur qui ea debent reparare. Ideo necesse est quod de novo adiestentur. *Per recordum de anno tricesimo tercio.*

Per quod preceptum fuit vicecomiti quod venire faceret eos etc.

Et modo scilicet in octabis sancti Martini isto eodem termino coram domino rege apud Westmonasterium venerunt villate predictae et alii per attornatos suos et quesitum est ab eis si quid pro se habeant vel dicere sciant quare seweras gutteras wallias gurgites fossatas maris ac marisca et pontes predictos reparare mundare et sustentare non debeant ; qui dicunt separatim quod non possunt dedicere quin ipsi seweras gutteras wallias gurgites fossatas maris et marisca et pontes predictos reparare et sustentare tenentur de iure et debent etc. Ideo ipsi in misericordia etc. et distringantur ad seweras gutteras wallias et omnia alia reparanda sustentanda et mundanda cum necesse fuerit etc. et eciam villata de Soterton' et omnes alii in misericordia quia venerunt per magnam distraccionem etc.

2. Ancient Indictments File 59 m. 18.

Spaldyng'.

Iuratores presentant . . . quod ubi villate de Swyneshed et Wyke-toft mundare deberent et reparare quandam seweram vocatam Swynesheved Hee videlicet a Candilbyhill' usque Byker Hee que iacet obstructa et non mundata ob defectum hominum villatarum predictarum ad nocumentum patrie.¹

¹ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 46.

3. Ancient Indictments File 59 m. 32.

Aswardhirm' secunda: per iuratores prime inquisitionis.

Iuratores presentant super sacramentum suum . . . quod quedam seuwera extendens se a Helpringhamee usque ad Bikerhengdyk vocata Benwelldyk in Byker que debet seuwerare Helpringham Hale et alias villas de occidente ibidem, quam quidem seuweram villata de Biker tenentur (*sic*) mundare et tenere apertam, obstupatur per dictam villatam de Byker per quod pasture marisci et prata ceterarum villarum inundantur et submerguntur ad grave dampnum earundem.¹

Item presentant quod fossatum vocatum le Oldee inter mariscum de Holandia et mariscum de Hekynton' quod debet mundari et reparari per homines de octo hundredis Holandie in parte orientali et per villatam de Hekynton' in parte occidentali de Baberhethe usque Hoggeheth de Westeroft non mundatur nec reparatur ad grave dampnum populi patrie ibidem.

Item quod fossatum de predicto Hoggeheth de Westeroft usque ad aquam de Wythme quod debet mundari et reparari per dictos octo hundredos Holandie non mundatur nec reparatur ad grave dampnum populi.

Item quod fossatum quod se extendit a Baberhethe in Hekynton' usque le Ladyscirth in marisco de Swynesheved' quod debet mundari et reparari per dictos octo hundredos ex utraque parte non mundatur nec reparatur ad grave dampnum populi.²

4. Ancient Indictments File 59 m. 50.

Wapentagium de Kyrketon'.

Inquisicio capta coram domino rege apud Lincoln' die Veneris proxima post festum sancti Dionisii anno regni regis Edwardi tercii post conquestum quadragesimo nono per sacramentum Thome de Cobeldyk³ . . . qui . . . presentant quod est quidam pons qui vocatur Fyschemberbyg est fractus et deberet reparari per villatas de Soterton' et Algerkyrk' et non reparatur ad grave dampnum tocius patrie. Item presentant quod est quidam pons qui vocatur le Toftbryg'

¹ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 8.

² The pleadings on the three preceding presentments are enrolled on *Coram Rege Roll*, Michaelmas, 50 Edw. III. rex 9. After postponements the case came before the justices in eyre at Swineshead, on Monday after Christmas, 5 Ric. II., when it was held that the first and third presentments were proved, but that the sewer named in the second presentment did not exist.

³ The names of twelve other jurors are given.

et est pons pedalis inter Gosberkyrke et Surllet' et deberet reparari per villatam de Surllet' et non reparatur ad grave dampnum tocius populi.¹ Item presentant quod villata de Hekyngton' cum Gerwik' debent (*sic*) et solent a tempore quo non extat memoria mundare et reparare medietatem cuiusdam sewere que vocatur Gerwykee ex parte boreali dicte sewere videlicet a Gerwykee usque vacheriam abbatis de Swynshed' que vocatur Westherwyk et non mundatur nec reparatur sed obstupatur ob defectum predictae villate de Hekyngton' cum Gerwyk' ad dampnum tocius patrie et omnium transeuncium ibidem.²

5. Ancient Indictments File 59 m. 53d.

Aswardhir.

Iurati presentant super sacramentum suum quod abbas de Bardenay debet mundare et reparare alteram medietatem de Gerwykee in parte australi ubi nullus est defectus.

[Item presentant] quod ripa de Byker ubi le Dam est debet esse aperta omni tempore anni [et modo obstruitur et] obstupatur per villatam de Gerwyk' per quod marisci et pasture [de Helpringham et] Hale inundantur et submerguntur ad grave dampnum earundem villarum de [Helpringham et Hale]: et dicunt quod dicta villata de Byker debent (*sic*) et tenentur ad mundandum ripam [predictam].³

6. Ancient Indictments File 59 m. 65.

Avelond'.

Avelond'. Inquisicio capta coram iusticiariis domini regis de Banco apud Linc' die Martis in festo sancti Dionisii Martiris anno regni regis Edwardi tercii post conquestum quadragesimo nono que dicit per sacramentum⁴ quod lez sewers inter Holand' et Kesteven deberent aperiri pro mariscis a septimana media mensis Marcii ad sewandum mariscos usque ad festum sancti Martini per villatas de Donington' et Quadring' quolibet anno: que quidem dicte villate obstupaverunt les clowes de Quadring', unde aqua non potest habere

¹ The pleadings in these two cases are enrolled on *Coram Rege Roll*, Mich., 49 Edw. III. rex 23d. The townships acknowledged liability and were each amerced one mark in the former and half a mark in the latter case.

² The pleadings are enrolled on *Coram Rege Roll*, Mich., 49 Edw. III. rex 8. The two townships acknowledged liability and were each amerced 5s.

³ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 8, whence the words in square brackets have been supplied.

⁴ The names of twelve jurors are given.

cursum ad grave dampnum villatarum de Kesteven videlicet Horbeling' [By]lyngburgh' et Swaton' centum solidorum.¹

7. Ancient Indictments File 60 m. 20.

Kyrk'.

Inquisicio capta apud Lammpcoteholm coram Iohanne de Skypwyth vicecomite Lincoln' die sabbati proximo post festum Translacionis sancti Hugonis anno regni regis Ricardi secundi xix^o per sacramentum Iohannis filii Roberti de Benyngton'² qui dicunt per sacramentum quod calseta vocata Parkedyke inter Swyneshede et Hekyngton est defectiva et ruinoso in defectu abbatis de Bardenay ad grave dampnum et nocumentum tocius patrie.

The *New English Dictionary* has an interesting account of the word 'clow' (p. 254), which means a dam or floodgate, and in the eighteenth century was wrongly identified with and spelt as clough.

CI.

BRIDGE IN STIXWOULD.

1. Presentment made before Gilbert Dumfrankville, earl of Angus, and the other justices of oyer and terminer in Lincolnshire, and referred to the King's Bench, that a bridge called Tolibridge in Halstead is out of repair by default of Robert de Godesfeld.

Precept to the sheriff.

On the quinzaine of Hilary, 1367, the said Robert came before the king at Westminster and acknowledged his liability and said that the aforesaid bridge was out of repair at the time of the presentment but was now repaired. He was in mercy, and a writ of *distringas* was issued returnable in three weeks from Easter.

2. Presentment by a jury of Gartree wapentake before John de Rocheford, sheriff, on Monday, 24 March, 1393, that the bridges called Tolybrygges at Halstead were broken by default of John Stynt, who was amerced one shilling.

1. Coram Rege Roll, Hil., 41 Edward III. rex 15.

Lincoln'. Alias coram Gilberto Dumfrankvill' comite Danegos et sociis suis iusticiariis domini regis ad diversas felonias transgressiones et alia malefacta in comitatu predicto facta audienda et terminanda assignatis apud Lincoln' presentatum fuit quod Robertus de Godesfeld'

¹ Cf. *Coram Rege Roll*. Mich., 49 Edw. III. rex 30d., whence the letters in square brackets have been supplied.

² The names of eleven other jurors are given.

deberet facere quendam pontem que vocatur Tolibrigg' apud Halstede et non est reparatus ad gravanen (*sic*) tocius patrie : quod quidem indictamentum dominus rex inter alia coram eo venire fecit terminandum.

Per quod preceptum fuit vicecomiti quod venire faceret predictum Robertum ad respondendum etc. Et modo scilicet a die sancti Hillarii in xv dies ubicumque etc. coram domino rege apud Westmonasterium venit predictus Robertus de Godesfeld' per attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum facere non debeat etc.; qui quidem Robertus expresse cognovit quod ipse pontem predictum facere tenetur et quod dictus pons tempore presentacionis inde facte etc. non fuit reparatus etc. et dicit quod dictus pons modo sufficienter reparatus est etc. Ideo idem Robertus pro non reparacione predicta in misericordia et preceptum est vicecomiti quod non omittat etc. quin distingat predictum Robertum per omnes terras etc. ita quod securus sit quod dictus pons per ipsum Robertum bene et sufficienter fiat etc. quociens etc. et qualiter etc. vicecomes scire faciat regi a die Pasche in tres septimanas.

2. Ancient Indictments File 60 m. 73.

Gayr'.

Inquisicio capta coram Iohanne de Rocheford' vicecomite Linc' apud Ludam die Lune proxima post festum sancti Edwardi Regis anno regni regis Ricardi secundi post conquestum sexto decimo per sacramentum Willelmi de North Cot'¹ qui . . . presentant quod pontes vocati Tolybrygges apud Hallstede fracti sunt et ruinosi in defectu Iohannis Stynt. Ideo in misericordia xij denariorum.

The identification of this bridge as being in Halstead in Stixwould is not certain, as it is only based on the similarity of name and the fact that Stixwould is in the presenting wapentake of Gartree; on the other hand Robert de Godesfeld is named in *Feudal Aids* ² in connection with the parishes immediately east of Boston, and Stennett is also a Boston name.³

CII.

PRESENTMENTS AGAINST THE ABBOT OF KIRKSTEAD.

1. Presentments before Gilbert Dumframville, earl of Angus, and his fellows, justices of oyer and terminer, at Lincoln, that the abbot of Kirkstead ought to repair a bridge called Snytelbrigge: that he ought to clean a ditch called Stoppitdyk running along by the king's road which

¹ The names of eleven other jurors are given.

² iii. p. 41.

³ Thompson's *History of Boston*, pp. 251, 299.

is stopped up, and that Till Bridges are overthrown and made dangerous by his cattle and that he ought to repair them.

Precept to the sheriff.

In Hilary term, 1367, the said abbot came before the king at Westminster by William de Stathern, his attorney, and said that neither he nor his predecessors ever repaired or ought to repair the said bridges, and that Till Bridges were only damaged by the passage of his cattle across them on the highway in the same manner as the cattle of others of the country passed, and that he was only bound to repair Stoppitdyk over against his own land, where the said ditch was in good repair. Thomas de Shardelowe, suitor for the king, said that the aforesaid abbot ought to repair and clean the said bridges and ditch, and that Till Bridges were damaged by his cattle; and he and the said abbot sought the verdict of the country. After postponements and upon a writ of *nisi prius* on the quinzaine of Hilary, 1372-3, the said abbot came before the king at Westminster by his attorney, and Roger de Kirketon, justice of the Common Bench, sent the verdict of a jury given before him and William Bussy at Lincoln on Saturday, 8 January, that neither the said abbot nor his predecessors ever repaired or were bound to repair the said bridges, and that Till Bridges were only damaged by the passage of his cattle across them on the highway in the same manner as the cattle of others of the neighbourhood passed, and that he was only bound to clean Stopdyk over against his own land, and that the ditches lying there were clean at the time of the presentment. The abbot therefore went without a day.

2. Presentment by a jury of Skirbeck wapentake [in Michaelmas term, 1375] that the said abbot ought to repair a bank in Wildmoor on the east side of Witham Stream from Merekne to Coningsby Land to keep the waters of the said stream out of Wildmoor and West Fen, and that by his default the marsh of West Fen and East Fen, which is the common of the townships of the said wapentake and of the soke of Bolingbroke, is flooded every year to the damage of the country of £2000.

3. Presentment by a jury of Bolingbroke on Tuesday, 23 October 1375, at Lincoln that the said abbot, who is lord of the common pasture of Wildmoor, and ought to keep the course of Witham Stream within its banks so that Bolingbroke marsh be not flooded, causes the said water to be stopped by his servants to procure carriage, whereby the said marsh has been flooded for six years past.¹

1. Coram Rege Roll, Hil., 41 Edward III. rex 15d.

Lincoln'. Alias coram Gilberto Dumframvill' comite Danegos et sociis suis iusticiariis domini regis ad diversa felonias transgressiones

¹ There is another presentment relating to Wildmoor on the same file, in which it is found that the bank of the Witham between the said stream and a dyke called Denmardyke in Coningsby is hollow and defective to the destruction of the marshes of Wildmoor and Bolingbroke by default of the township of Coningsby. The name at the beginning of the document, which usually indicates the wapentake, soke, or borough, is *Congregacio*. [*Ancient Indictments*, File 59, m. 14.]

et alia malefacta in comitatu predicto capienda assignatis apud Lincoln' presentatum fuit quod abbas de Kirkestede tenetur facere quendam pontem, que (*sic*) vocatur Snytelbrigge, et non reparatur ad gravamen populi. Item presentatum est quod fossa vocata Stopitdyk extendens ultra viam regalem obstupatur ita quod aqua non potest habere rectum cursum suum ad grave nocumentum omnium itinerancium: quam quidem fossatam abbas et conventus de Kirkestede tenentur mundare. Item presentatur quod pontes vocati Tilbrigges prosternuntur per pecora abbatis et conventus de Kirkestede ita quod nemo potest ibidem transire nisi in magno periculo mortis: quos quidem pontes abbas et conventus de Kirkestede tenentur reparare et sustentare. . . .¹

Per quod preceptum fuit vicecomiti quod venire faceret predictum abbatem¹ ad respondendum etc.

Et modo scilicet isto eodem termino coram domino rege apud Westmonasterium venerunt predictus abbas et alii per Willelmum de Statherne attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontes et fossam predictas facere reparare et mundare non debeant etc.¹ qui dicit quo ad pontes de Snytelbrigge et similiter quo ad pontes de Tilbrigges idem abbas dicit quod nec ipse nec predecessores sui abbates loci predicti pontes predictos umquam fecerunt nec reparaverunt nec de iure tenentur nec quod pontes predicti de Tilbrigges per pecora dicti abbatis defracti fuerunt nisi eundo et redeundo per altum chiminum ultra pontem predictum prout pecora aliorum de patria faciunt transeundo per pontem predictum et de hoc ponit se super patriam etc.: et quo ad fossam vocatam Stoppitdyk idem abbas dicit quod nec ipse nec predecessores sui abbates loci predicti fossam predictam aliquo tempore mundaverunt nec mundare tenentur nisi tantum versus terras suas proprias ibidem iacentes etc. et dicit quod fossata ibidem versus terras suas proprias bene et sufficienter mundantur et fuerunt die presentacionis predictae facte etc. et de hoc similiter ponit se super patriam.¹ Et Thomas de Shardelowe qui pro domino rege sequitur dicit quod predictus abbas pontem de Snytelbrig' reparare et sustentare tenetur prout superius presentatum est et similiter quod pontes de Tilbrigges prosternuntur per pecora predictorum abbatis et conventus ita quod nemo ibidem transire potest et similiter quod fossa vocata Stoppitdyk obstupatur ad dampnum patrie etc. quas quidem pontes et fossa (*sic*) idem abbas et conventus tenentur facere reparare et mundare¹ et hoc pro domino rege offert verificare

¹ Here follow proceedings against certain monks of the said abbey for illegal pasturing at Scampton.

per patriam etc. : et predictus abbas et alii similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc.

Postea continuato inde processu versus prefatum abbatem et alios per iuratas positas in respectum coram domino rege usque in octabas sancti Michaelis anno regni regis nunc Anglie quadragesimo sexto, ad quem diem coram domino rege apud Westmonasterium venerunt predicti abbas et alii per attornatum suum et vicecomes non misit breve : ideo iurata predicta positas (*sic*) fuit in respectum virtute brevis domini regis iusticiariis hic directi de iurata predicta per breve de nisi prius capienda, quod quidem breve irrotulatur termino predicto rotulo xi inter placita regis, coram domino rege usque a die sancti Hillarii in xv dies ubicumque etc. nisi dilectus et fidelis domini regis Rogerus de Kirketon' unus iusticiariorum ipsius regis de Communi Banco prius die Sabbati proxima post festum Epiphanie Domini apud Lincoln' venerit pro defectu iuratorum quia nullus etc. Ideo vicecomes habeat corpora omnium iuratorum coram domino rege ad prefatum terminum etc. vel coram prefato iusticiario ad prefatos diem et locum etc. Ad quem diem coram domino rege apud Westmonasterium venerunt predicti abbas et alii per attornatum suum et predictus Rogerus coram quo etc. misit recordum veredicti iurate predictæ coram eo habite in hec verba :

Postea die et loco infranominatis coram Rogero de Kirketon' associato sibi Willelmo Bussy per formam statuti etc. facta proclamacione prout moris est in hac parte venit tam quidam Reginaldus de Moreby qui se profert ad prosequendum et calumpnia pro domino rege inquisitionis capienda quam predicti abbas¹ . . . per attornatos suos infracententos et similiter iuratores venerunt qui ad hoc electi triati et iurati quo ad predictum pontem vocatum Snytelbrigge et similiter quo ad pontes de Tilbrigges dicunt super sacramentum suum quod predictus nunc abbas nec predecessores sui nunquam pontes illos fecerunt nec reparare de iure tenentur nec tenebantur nec quod predicti pontes de Tilbrigges per peccora eiusdem abbatis fracti fuerunt nisi eundo et redeundo cum animalibus suis ultra pontes predictos per altum chiminum prout pecora vicinorum suorum et aliorum ibidem transeuncium faciunt transeundo per pontes predictos : et quo ad fossatum vocatum Stopdyk' similiter dicunt quod predictus abbas nec predecessores sui abbates loci predicti fossata illa mundarunt nec aliquo tempore mundare tenebantur nisi tantum versus terras suas proprias ibidem iacentes

¹ Here follow proceedings against certain monks of the said abbey for illegal pasturing at Scampton.

et dicunt quod fossata illa ubique versus terras proprias ipsius abbatis ibidem iacentes bene et sufficienter mundantur et tempore presentacionis predictae sufficienter mundati fuerunt¹ Ideo consideratum est quod predictus abbas quoad presentaciones predictas super ipso de pontibus predictis per se faciendis eat inde sine die salvo semper iure domini regis si quod etc.¹

2. -- Ancient Indictments File 59 m. 8.

Wapentak' de Skyrbek.

Radulfus Farceux de Freston' et socii sui iurati dicunt super sacramentum suum . . . quod abbas de Kirkestede tenetur facere et reparare quandam ripam in Wildmore ex orientali parte aque de Wythum Streme a Merekne usque Conynggesby land' bonam et sufficienter reperaturam (*sic*) ad deffendendum aquas de Wythum streme extra Wildmore et Westfenne: pro defectu cuius reparacionis predictae ripe mariscus de Westfene et Estfene qui est communia villatarum wapentachii de Skirbek et soke de Bolyngbrok' quolibet anno est submersa ad grave dampnum patrie ij mille librarum.

3. Ancient Indictments File 59 m. 34.

Bolyngbroke ij: per primos iuratores.

Inquisicio capta coram rege apud Linc' die Martis proxima post festum sancti Luce Ewangeliste anno regni regis Edwardi tercii xlj^o per sacramentum xij iuratorum qui dicunt . . . quod abbas de Kyrkestede, qui se tenet dominum cuiusdam communis pasture que vocatur Wyldmore et tenetur servare cursum aque de Wythem Streme infra bancas ne aqua superabundet et inundet mariscum de Bolyngbroke, predictus abbas (*sic*) per suos servientes facit dictam aquam excecari propter sua cariaga facienda ita quod totus mariscus de Bolyngbroke per vj annos ultimo elapsos inundatur et destructus fuit in maximam oppressionem tocius patrie.²

The abbot of Kirkstead held land in Scampton, and Till Bridges named here are the same as the bridge named in No. xcviii, which lay in Scampton.

¹ Here follow proceedings against certain monks of the said abbey for illegal pasturing at Scampton.

² Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 48.

CIII.

CAUSEY AT MARSTON.

Presentment made before Gilbert Dumframville, earl of Angus, and the other justices of oyer and terminer in Lincolnshire, and referred to the King's Bench, that the township of Marston ought to repair a causey, which is out of repair, between the bridge over the Witham at Marston and a stone cross in the said town.

Precept to the sheriff.

On the month of Easter, 1367, the said township came before the king at Westminster by William de Statherne their attorney, who said that they were not bound to repair the said causey, and sought an enquiry by the country. Thomas de Shardelowe, suitor for the king, said that they were so bound, and sought the verdict of the country. After postponements the said township came as aforesaid on the quinzaine of Easter, 1371, and acknowledged their liability and were amerced 10s.

Coram Rege Roll, Easter, 41 Edward III. rex 19d.

Lincoln'. Iuratores comitatus predicti alias coram Gilberto Dumframville comite Danegos et sociis suis iusticiariis ad diversa felonias transgressionones et alia malefacta in comitatu Line' audienda et terminanda assignatis apud Lincoln' presentaverunt quod villata de Merston' tenetur reparare quoddam calcetum inter pontem de Merston' supra aquam de Wythum et quandam crucem lapideam erectam in villa de Merston' et dictum calcetum non est reparatum ad grave dampnum et nocumentum tocus patrie ibidem transeuntis : quod quidem indictamentum dominus rex inter alia venire fecit coram eo terminandum.

Per quod preceptum fuit vicecomiti quod venire faceret prefatam villatam ad respondendum etc.

Et modo scilicet a die Pasche in unum mensem isto eodem termino coram domino rege apud Westmonasterium venit predicta villata per Willelmum de Statherne attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare calcetum predictum reparare non debeat etc., qui dicit quod predicta villata non tenetur reparare calcetum predictum sicut super ipsam presentatum est et hoc petit quod inquiratur per patriam etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predicta villata calcetum predictum tenetur reparare et non est reparatum ad grave dampnum et nocumentum tocus patrie ibidem transeuntis prout per presentacionem predictam supponitur et hoc pro domino rege offert veruicare etc. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est partibus etc.

Postea continuato inde processu versus prefatam villatam coram domino rege usque a die Pasche in xv dies anno regni regis nunc quadragesimo quinto, ad quem diem coram domino rege apud Westmonasterium venit predicta villata per attornatum suum predictum et dicit quod non potest dedicere quin villata predicta tenetur reparare calcetum predictum de iure sicut super ipsum presentatum est. Et quia calcetum predictum reparatum non fuit tempore presentacionis predicte ideo ipsa in misericordia et afforatur per iusticiarios ad x solidos. Et preceptum est vicecomiti quod distringat predictam villatam etc. ita quod securus sit quod reparet calcetum predictum quando necesse etc.

CIV.

BRIDGES AND CAUSEY NEAR BRANT BROUGHTON.

1. Presentment made before Gilbert Dumframville, earl of Angus, and the other justices of oyer and terminer in Lincolnshire, at Lincoln, and referred to the King's Bench, that the township of Carlton le Moorland ought to repair a bridge and causey by the field of the said township in the highway between Lincoln and Brant Broughton, which are not repaired.

Precept to the sheriff.

On the month of Easter, 1367, the said township came before the king at Westminster by William de Statherne, their attorney, and said that they were not bound to repair the said bridge and causey, and sought an enquiry by the country. Thomas de Shardelowe, suitor for the king, said that they were so bound, and sought the verdict of the country.

After postponements, on the quinzaine of Easter, 1375, the said township came as aforesaid, and a jury came and said that the aforesaid causey was broken and ought to be repaired by the said township and all the tenants thereof, and that the aforesaid bridge was first made by a hermit after the first pestilence, who set a plank across a certain ford in the midst of the said causey, and that if the said causey were fully repaired there would be no need of a bridge, and that the township of Bassingham and not that of Carlton ought to clean and repair the said ford. Therefore the said township of Carlton was amerced twenty shillings for its failure to repair the said causey.

2. Verdict of a jury of Boothby Graffo, before Anketil Mallore, sheriff, at Ancaster on Tuesday, 11 May, 1389, that Stapleford bridge is defective by default of the township of Broughton, which is amerced 3s. 4d.

Verdict of a jury of Boothby and Graffo before Henry de Ryddford, sheriff, at Ancaster, on Tuesday, 15 April, 1393, that the said bridge is out of repair by default of William West of Stapleford, who is amerced 6s. 8d.

3. Verdict of a jury of the wapentake of Boothby before Walter Tailboys, sheriff, at Ancaster on Tuesday, 19 April, 1390, that the high road called Scortwath is defective by default of the prior of St. Katherine without Lincoln, who is amerced 3s. 4d.

4. Verdict of a jury of Boothby before John de Skypwyth, sheriff, at Ancaster, on Monday, 19 April, 1395, that a bridge between Leadenham and Broughton in the king's road is defective by default of the former township, which is amerced 3s. 4d.

1. **Coram Rege Roll, Easter, 41 Edward III. rex 19d.**

Linc'. Iuratores comitatus predicti alias coram Gilberto Dumframville comite Danegos et sociis suis iusticiariis ad diversas felonias transgressionones et alia malefacta in comitatu Lincoln' audienda et terminanda assignatis apud Lincoln' presentaverunt quod villata de Carlton' in Boghland' tenetur reparare unum pontem et unum calcetum iuxta campum de Carleton' in quadam alta via ducente a Lincoln' usque Brendebroghton', et dicta pons et calcetum non sunt reparati ad dampnum et nocumentum populi ibidem transeuntis : quod quidem indictamentum dominus rex inter alia venire fecit coram eo terminandum.

Per quod preceptum fuit vicecomiti quod venire faceret predictam villatam ad respondendum etc.

Et modo scilicet a die Pasche in unum mensem isto eodem termino coram domino rege apud Westmonasterium venit predicta villata per Willelmum de Statherne attornatum suum et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem et calcetum predicta reparare non debeat etc., qui dicit quod predicta villata pontem et calcetum predictos non tenetur reparare prout super ipsam presentatum est et hoc petit quod inquiratur per patriam etc. Et Thomas de Shardehowe qui sequitur pro domino rege etc. dicit quod villata de Carleton in Boghland' tenetur reparare unum pontem et unum calcetum iuxta campum de Carleton' in quadam alta via ducente a Lincoln' usque Brendebroghton', prout per presentacionem predictam supponitur et hoc pro domino rege offert verificare etc. Ideo veniat inde iurata coram domino rege in octabis sancte Trinitatis ubicumque etc. et qui nec etc. ad recognoscendum etc. Idem dies datus est partibus etc.

Postea continuato inde processu versus prefatam villatam per iuratas positas in respectum coram domino rege usque a die Pasche in xv dies anno regni regis nunc Anglie quadragesimo nono, ad quem diem coram domino rege apud Westmonasterium venit predicta villata per attornatum suum et similiter iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod calcetum predictum est confractum et ruinosum ob defectum predictae villate de Carleton' et quod predicta villata calcetum predictum de iure facere et reparare tenetur et omnes tenentes eiusdem ville calcetum predictum a toto tempore fecerunt et reparaverunt et quod pons predictus post primam

pestilenciam ibidem primo per quendam heremitum factus fuit ponendo tabulam ultra quoddam vadum in medio calceti predicti et dicunt quod si calcetum predictum ad plenum foret mundatum et reparatum non indigeret aliquem pontem ibidem fieri et quod villata de Bassingham tenetur vadum illud mundare et reparare cum necesse fuerit et non villata de Carleton'. Ideo preceptum est vicecomiti quod non omittat etc. quin distringat predictam villatam de Carleton' ita quod securus sit quod calcetum predictum ad plenum reparetur tocies quociens necesse fuerit etc. Et predicta villata de Carleton' in misericordia pro non reparacione calceti predicti et afforatur per iusticiarios ad xx solidos etc.

2. Ancient Indictments File 60 m. 130.

Boby Grafhowe.

Inquisicio capta coram Anketillo Mallore vicecomite Lincoln' apud Ancastre die Martis proxima post festum sancti Iohannis ante portam Latinam anno regni regis Ricardi secundi duodecimo per sacramentum Iohannis de Mere de Wadyngton'.¹ . . . iuratorum qui dicunt super sacramentum suum . . . quod Stapilfordbrig est defectuosa ad magnam nocumentum patrie ob defectum ville de Broghton'. Ideo in misericordia xl d.

Ancient Indictments File 60 m. 58.

Boby et Grafhow.

Inquisicio capta coram Henrico de Ryddeford' vicecomite Lincoln' apud Ancaster die Martis proxima post Dominicam qua cantatur Quasi modo Geniti anno regni regis secundi post conquestum Anglie sexto decimo per sacramentum Iohannis Mill' de Harmeston'¹ . . . qui . . . presentant quod pont' (*sic*) vocatus Stapulforthbryg' ruinosus et non reparatur per Willelmum West de Stapulforth' sicut tenetur. Ideo misericordia vj solidorum viij denariorum.

3. Ancient Indictments File 60 m. 114.

Boby.

Inquisicio capta coram Waltero Tailboys vicecomite Lincoln' apud Ancastre die Martis proxima ante festum sancti Marci Ewangeliste anno regni regis Ricardi secundi xiiij^{mo} per sacramentum Ricardi Smyth'

¹ The names of eleven other jurors are given.

de Carleton'¹ qui presentant quod alta via vocata Scortwath est valde defectuosa ad magnum nocumentum patrie ob defectum prioris sancte Katerine extra Linc'. Ideo in misericordia xl. d.

4. Ancient Indictments File 60 m. 29.

Wappentagium de Boby.

Inquisicio capta coram Iohanne de Skypwyth' vicecomite Lincoln' apud Ancaster die Lune proximo post festum sancti Marce (sic) Evangeliste anno regni regis Ricardi xvij per sacramentum Iohannis Wryght de Carleton'¹ qui dicunt per sacramentum quod quidam pons inter Ledenham et Brughton' in via regia est defectiva et ruinoso ob defectum villate de Ledenham. Ideo in misericordia xl denariorum.

Possibly Carlton in Boghland is a hamlet now represented by Carlton Lowfield farm, which is close to the road from Lincoln to Brant Broughton and is itself in the parish of Carlton le Moorland, the bridge being that over the Brant due east of the village of Carlton. The first pestilence was the plague which raged throughout Europe in 1348-1349 and not the later and more local visitations. Scortwath has not been traced, but it has been assigned to this neighbourhood because the presenting hundred is Boothby, and the priory of St. Katherine without Lincoln had numerous possessions in Boothby, Stapleford, and Wellingore.²

CV.

BRIDGES AND SEWER NEAR STAINTON-WITH-LANGWORTH.

1. Presentment in Michaelmas term, 1375, before the king at Lincoln that the townships of Rand, Fulnetby, Hellethorp, Stainton with Langworth and Newbold ought to repair a bridge called White Bridge which is broken. Precept to the sheriff.

On Friday, 9 November, the men of the said townships came as aforesaid by William de Sadyngton, their attorney, and said that neither they nor any of their ancestors or previous holders of their lands there ever repaired the said bridge or ought so to do. Thomas de Shardelowe, suitor for the king, said that they ought to repair it: and he and the said men sought the verdict of the country.

By pretext of a writ dated 11 July 1388 the said cause was postponed to the quinzaine of Michaelmas in that year.

2. Presentment by a jury of Wraggoe wapentake [in Michaelmas term, 1375], that John, abbot, and the convent of Barlings hold a field called Estertoft and a windmill between Navenby and Boothby of the gift of

¹ The names of eleven other jurors are given.

² Tanner, *Notitia Monastica, Lincolnshire*, xlix. 3.

Thomas Ingilby, by reason whereof they are bound to repair a bridge called White Bridge by Langworth.

3. Presentment in Easter term, 1396, before the king at Lincoln that a sewer called Fendyke, extending from Welton to Langworth, is stopped up towards the townships of Dunholme, Scothern, Reasby and Stainton by default of those townships.

Precept to the sheriff.

On Monday, 6 November, the said townships came before the king at Westminster by William Waldeby, their attorney, and acknowledged their liability to repair the said sewer and their default therein, and were each amerced 3s. 4d.

1. Coram Rege Roll, Mich., 49 Edward III. rex 11.

Linc'. Iuratores diversorum hundredorum comitatus predicti isto eodem termino coram domino rege apud Linc' presentaverunt quod villata de Rande cum Fulnetby et Helithorp' et Steynton' cum Langwath' et Neubel debent reparare et sustentare pontem qui vocatur Wightbrigge, qui modo est ruinosus et fractus ad grave dampnum totius populi ibidem transeuntis.

Per quod preceptum fuit vicecomiti quod venire faceret villatam predictam ad respondendum etc.

Et modo scilicet die Veneris proxima ante festum sancti Martini isto eodem termino coram domino rege apud Lincoln' venerunt homines villatarum predictarum per Iohannem de Sadyngton' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum reparare et sustentare non debeant sicut super ipsos presentatum est: qui dicunt quod nec ipsi nec aliqui antecessorum suorum seu tenencium terrarum et tenementorum suorum que ipsi tenent in eisdem villis pontem predictum umquam reparaverunt seu sustentaverunt nec quod ipsi pontem illum de iure reparare seu sustentare tenentur prout superius presentatum est et hoc parati sunt verificare per patriam etc.

Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod homines villatarum predictarum pontem predictum reparare et sustentare tenentur prout superius super ipsos presentatum est et hoc pro domino rege offert verificare etc.; et homines villatarum predictarum similiter. Ideo fiat inde iurata etc.

Coram Rege Roll, Trin., 1 Richard II. rex 18.

Linc'. Dominus rex mandavit dilectis et fidelibus suis Iohanni Cavendish et sociis suis iusticiariis hic breve suum clausum in hec verba: Ricardus dei gracia rex Anglie et Francie et dominus Hibernie

dilectis et fidelibus suis Iohanni Cavendissh et sociis suis iusticiariis ad placita coram nobis tenenda assignatis salutem. Mandamus vobis quod quandam inquisitionem que coram nobis restat capienda de loquela que est coram nobis inter nos et villatas de Rand cum Fulnetby Helithorp' Staynton' Langwath' et Neubel super quadam presentacione facta coram domino Edwardo nuper rege Anglie avo nostro de reparacione pontis vocati Whitbrigg' ut dicitur per breve nostrum nisi prius coram aliquo iusticiariorum nostrorum iuxta formam statutorum inde editorum capi demandetis. Teste me ipso apud Westmonasterium xi die Iulii anno regni nostri secundo.

Pretextu cuius brevis iurata ad recognoscendum etc. si villate de Rande Fulnetby Helthorp' Staynton' et Langwath' pontem vocatum Whitbrigge facere et sustentare teneantur necne ponitur in respectum coram domino rege usque a die sancti Michaelis in xv dies ubicumque etc.

2. Ancient Indictments File 59 m. 64 and 64d.

Wraggowe.

. . . de Benyngworth' de Haynton' et socii sui presentant . . . quod Iohannes abbas de Barlynges et conventus eiusdem tenent quemdam campum vocatum Estertoft' et unum molendinum ventriticum situatum inter Navebi et Botheby de dono quondam Thome Ingelbi, pro quibus tenentur reparare unum pontem iuxta Langwath' vocatum Whitbrigge et non faciunt ad grave nocumentum populi tocius patrie.

3. Coram Rege Roll, Mich., 20 Richard II. rex 16.

Linc'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc decimo nono coram domino rege apud Linc' presentaverunt quod est (*sic*) quedam sewera vocata Fendyke que se extendit a villa de Welton' usque villatam de Langwath obstupata est erga villatas de Dunham Skothorn' Reresby et Staynton' ob defectum emendacionis ad grave nocumentum tocius patrie adiacentis: et quod villate de Dunham Skothorn' Reresby et Staynton' predictae seweram predictam reparare et emendare de iure tenentur et quod omnes antecessores sui tenentes terrarum in villatis predictis seweram predictam emendaverunt et squiriaverunt quandocumque necesse fuerit.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eas ad respondendum etc.

Et modo scilicet die Lune proxima post festum Omnium Sanctorum

isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate per Willelmum Waldeby attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare seweram predictam sic obstupatam reparare et emendare non debeant; qui dicunt quod non possunt dedicere quin seweram predictam sic obstupatam reparare et emendare tenentur sicut superius super ipsas presentatum est. Et quia sewera predicta capcionis tempore presentacionis reparata nec emendata non fuit, ideo predicta villata de Dunham in misericordia et afforatur per iusticiarios ad xl denarios et villata de Scothorn' ad xl denarios et villata de Reresby ad xl denarios et villata de Staynton' ad xl denarios. Et preceptum est vicecomiti comitatus predicti quod non omitat etc. quin distringat eas per omnes terras etc. et quod de exitibus etc. et (*sic*) quod sewera predicta ad plenum reparetur et emendetur tocians quociens necesse fuerit etc.

White Bridge is about two miles N.E. of Langworth station. Barlings is the next parish, but the lands charged with the repair of the bridge were in another part of the county. Dugdale has no note of the gift of these lands.

CVI.

DITCHES ETC. NEAR SPALDING, PINCHBECK AND SURFLEET.

1. Presentment in Michaelmas term, 1375, by a jury of Holland that John son of Richard Rows of Surfleet ought to raise the heads called Hevdy . . . from two acres which he holds in Pinchbeck towards the sea, which are now cast down so that much of the adjacent land is flooded.

2. Presentment in the same term by a jury of Spalding that there is a common fishery of the men of Spalding, Pinchbeck, Baston, Langtoft and other towns where William Jeney, Robert Symondson of Spalding, Robert Geffreyson, Thomas Tilleson, Gilbert Derlyng and others used to fish, and that John de Tame, bailiff of Blanche de Wake, on Monday, 5 October 1366, by John Hole and Nicholas Charite, his underbailiffs, distrained on their nets, fishes and boats until they made fine for 3s. 4d., 3s. 4d., 3s., 2s. and 2s. respectively, and thus took in all until the present year £20: also that there is a marsh at Pinchbeck called North Fen where Roger de Pautr' of Spalding and Richard de Wyke came with their carts to carry turves, and Thomas Lithfot of Morton on Saturday, 29 September, 1375, detained the carts until they made fine and paid 5s. and took other money in the same way to the sum of 20s.

3. Presentment in the same term by a jury of Elloe wapentake that the king's way in Pinchbeck from the house of Simon Attegatushend to that of John de . . . n needs to be repaired by the said township: also that the king's road in Spalding between Pinchbeck lane and le Parkmille ought

to be repaired by the said township: also that the town of Spalding was in danger of being submerged by the flow of the sea and by the flood of water in the winter towards the marsh, because since the first pestilence the lands of the said township have been so divided and alienated that the keepers of the ditches know not by whom they ought to be repaired, and that the whole township and the holders of lands there ought to repair them.

4. Presentment in the same term by a jury of Stamford and Ness that John Lauender and Simon Bocher of Pinchbeck, servants of the prior of Spalding, have illegally taken toll in Pinchbeck to the sum of £3 and more from Walter Wate of Spalding, William Welton of Grantham and others during the past four years; also that John Palderay, servant of John Crescy knight, has illegally taken toll at Surfleet and Surfleet Score to the sum of £2 and more from Robert Heyford of Seaton, William Flore of Oakham, Austin Mowe of Clyve and others during the past six years.

5. Presentment in the same term at Lincoln that a bridge by Thomas Dode's house in Surfleet was broken in the preceding year, so that the river of Bourn Eau which ought to run from Kesteven to the sea was stopped there and could not have its course owing to the timber and earth of the said bridge and thereby the land of the township of Pinchbeck on either side was flooded by default of the township of Surfleet: also that, whereas the said river ought to be cleaned every fourth year from the Neweesende in Pinchbeck marsh to the sea according to custom and to the ordinance of the justices of sewers, the township of Pinchbeck cleaning it from Neweesende to Surfleet and the township of Surfleet thence to the sea, the said township of Surfleet has refused to clean its part of the said river, so that it floods the township and marsh of Pinchbeck on either side.

Precept to the sheriff.

On the octave of Hilary, 1375-6, the men of the said township came before the king at Westminster and said that the said bridge was broken and the river not cleaned at the time of the presentment but they were now being repaired and cleaned, and they acknowledged their liability and were amerced 3s. 4d.

6. Presentment before Richard de la Laund, John de Meres and John de la Laund, justices of the peace in Holland, at Boston on Wednesday, 9 December 1394, that William Fythler of Surfleet, rebel, on Thursday, 29 January, stopped up a common sewer at Surfleet to the damage of the whole town.

7. Complaint by John Brynston, reeve of Weston dyke, that Thomas Halmere and Simon Malle of Spalding and John Hare of Weston assaulted him by force of arms and with dogs on the night of Monday, 5 March 1395-6, at Weston and stopped the course of the said dyke there to the sea with nets and 'damstedes' to the damage of the townships of Weston and Spalding.

8. Presentment by a jury of Spalding that the aforesaid Thomas, Simon and John in the years 1394-1396 narrowed the common sewer in Weston called Westonmere with nets and other engines for fishing to the damage of

the said townships: also that John, servant formerly of Thomas de Cloune of Pinchbeck and now of John Bradhon smith of Spalding, on 12 March, 1395-6, by force of arms cut a dyke called Lathegrenedyke in Pinchbeck to set their nets there and take fish, whereby the new water entered the said town and flooded a field called Penycostfeld to the damage of the said town.

1. Ancient Indictments File 59 m. 13.

Holand'.

Iuratores dicunt . . . quod Iohannes filius Ricardi Rows de Surflete tenetur reparare et exaltare capita vocata . . . Hevdy . . . de duabus acris terre quas dictus Iohannes tenet in Pyncebek' versus mare et dicta capita modo ita franguntur et prosternuntur pro defectu reparacionis dicti Iohannis quod magna pars terrarum ibidem adiacencium inundatur ad grave dampnum plurium dicte villate.

2. Ancient Indictments File 59 m. 18.

Spaldyng'. Per iuratores prime inquisitionis.

Iuratores presentant quod est quedam communis piscaria que vocatur Spaldyngfen ubi homines villatarum de Spaldyng', Pynchebek, Baston' et Langtoft et aliarum diversarum villatarum piscari solebant et de iure adhuc solent, ubi Willelmus Jeney Robertus Symondson' de Spaldyng' Robertus Geffreyson' Thomas Tilleson' Gilbertus Derlyng' et alii de villis predictis piscati fuerunt ut in communi piscaria eorundem; ibi venit Iohannes de Tame ballivus domine Blanchie de Wake die Lune proxima post festum sancti Michaelis anno regni Edwardi tercii post conquestum quadragesimo et per Iohannem Hole et Nicholaum Charite subballivos suos per preceptum predicti Iohannis de Thame apud Spaldyngfen' eos distrixit per recia pisces et batellas suas quousque predictus Willelmus Jeney finem fecit cum predicto Iohanne de Tame pro iij solidis iij denariis et predictus Robertus Symondson pro iij solidis iij denariis et predictus Robertus Geffreyson' pro iij solidis et predictus Thomas Tilleson' pro ij solidis et predictus Gilbertus Derlyng' pro ij solidis et sic cepit de predictis Willelmo Jeney et aliis hominibus villatarum predictarum de anno in annum usque annum quadragesimum nonum ad summam viginti librarum per extorsionem. . . .

Item presentant quod est quidam communis mariscus apud Pynchebek' qui vocatur Northfen', ubi Rogerus de Pautr' de Spaldyng' et Ricardus de Wyke cum carectis suis propriis venerunt ad cariendum turvas suas de marisco predicto; ibi venit Thomas Lithfot de Morton' die Sabbati in festo sancti Michaelis Archangeli anno regni regis nunc

Anglie xlix^o et carectas predictas arestavit et detinuit quousque predicti Rogerus et Ricardus finem cum eo fecerunt pro v solidis quos ei solverunt eodem die ibidem et sic cepit de multis aliis habentibus communam in marisco predicto et hoc ad summam viginti solidorum per extorsionem ex causa predicta.

3. Ancient Indictments File 59 m. 44.

Ellowe.

Iurati de Ellowe . . . dicunt quod quedam regia via in Pynchebek' que se extendit a domo Simonis Atteгатishend usque ad domum Iohannis de . . . n indiget et debet reparari per villatam de Pynchebek.¹

Item dicunt quod quedam via regia in Spaldyng que est inter Pynchebeklane et le Parkmille indiget et debet reparari per predictam villatam²

Item dicunt quod villata de Pynchebek est in periculo submercionis per fluxum maris et per inundacionem aquarum recencium tempore yemali versus mariscum ob defectum quod terre villate predictae post primam pestilenciam sic diversimodo ceparantur et diversis hominibus in Pynchebek alienantur ut custodes fossatorum villate predictae non possint habere noticiam per quos fossata predicta in pluribus locis deberent de iure reparari: propter quod fossata predicta predictae ville indigent et debent de novo agistari et reparari per totam villatam de Pynchebek et per omnes homines habentes terras in predicta villa.¹

4. Ancient Indictments File 59 m. 51d.

Villa de Staunford'—Nesse.

Xij iurati presentant . . . quod Iohannes Lauender de Pynchebek' et Simon Bocher de eadem servientes prioris de Spaldyng' ceperunt in villa de Pynchebek' ad opus eiusdem prioris tolonium ad summam sexaginta solidorum et plus, ubi idem prior aliquod tolonium habere non debet nec habere solet; et hoc fecit per quatuor annos proxime preteritos videlicet de Waltero Wate de Staunford' Willelmo Welton' de Grantham et aliis.

Item presentant quod Iohannes Palderay serviens domini Iohannis Crescy militis cepit tolonium apud Surflete et Surflete Score per sex annos proxime preteritos ubi idem Iohannes Crescy tolonium ibidem habere de iure non debet nec solet videlicet de Roberto Heyford' de

¹ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 23.

² Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 24. The township acknowledged liability and was amerced one mark.

Seyton' Willelmo Flore de Okham Augustino Mowe de Clyve et aliis in summam quadraginta solidorum et amplius ad maximam oppressionem populi ibidem transeuntis.

5. Coram Rege Roll, Hil., 50 Edward III. rex 21d.

Linc'. Iuratores diversorum wapentagiorum comitatus predicti alias scilicet termino sancti Michaelis anno regni nunc Anglie quadregesimo nono coram domino rege apud Linc' presentaverunt quod est quidam pons in Surflete iuxta domum Thome Dode qui dirutus fuit et contractus anno regni regis nunc Anglie quadregesimo octavo ita quod ripa vocata Burn' Ee, que currere deberet a partibus de Kesteven usque mare subtus pontem predictum, ibidem obstupabatur, per quod aqua ripe predictae cursum suum habere non potuit propter maeremium et terram pontis predicti sic fracti, ita quod aqua ripe predictae superfluit fossata ex utraque parte ripe predictae et inundavit terras villate de Pynchebek' ob defectum villate de Surflete.

Item presentaverunt quod predicta ripa de Burn' Ee que deberet mundari et reparari quolibet quarto anno a Neweesende in marisco de Pinchebek' usque mare secundum antiquam consuetudinem et ordinationem per iusticiarios de seweris in partibus predictis factam videlicet a Neweesende usque Surflete per villatam de Pinchebek' et a Pinchebek' (*sic*) usque mare per villatam de Surflete, quam quidem ripariam cum predicta villata de Pinchebek' quolibet quarto anno ab anno regni regis nunc tricesimo quarto usque nunc per metas suas mundavit: eadem villata de Surflete porcionem suam ripe predictae eis contingentem mundare omnino recusavit per quod aqua ripe predictae de anno in annum ab illo tempore usque nunc villatam de Pynchebek' et mariscum eiusdem ex utraque parte ripe predictae superfluebat et inundabat ad magnum dampnum villate de Pynchebek etc.

Per quod preceptum fuit vicecomiti quod venire faceret prefatam villatam de Surflete ad respondendum etc.

Et modo scilicet in octabis sancti Hillarii isto eodem termino coram domino rege apud Westmonasterium venerunt homines predictae villate de Surflete per attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontem predictum necnon porcionem suam ripe predictae reparare non debeant sicut super ipsos presentatum est; qui dicunt quod non possunt dedicere quin predictus pons dirutus et predicta porcio ripe predictae imundata tempore presentacionis predictae extiterunt et quod dictus pons et porcio ripe predictae modo sunt in reparando et mundando et quod ipsi pontem predictum reparare et por-

cionem ripe predictae mundare tocienſ quocienſ neceſſe fuerit tenentur. Ideo eadem villata pro non reparacione pontis predicti in miſericordia et afforatur per iuſticiarios ad xl denarios, et pro non mundacione porcionis ripe predictae ſimiliter in miſericordia et afforatur per eoſdem iuſticiarios ad xl denarios. Et preceptum eſt vicecomiti quod non omittat etc. quin diſtingat predictam villatam de Surſlete per omnes terras etc. ita quod ſecurus ſit quod predicta villata pontem predictum reparet et porcionem ſuam ripe predictae mundet tocienſ quocienſ neceſſe fuerit etc.

6. Ancient Indictments File 62 m. 10.

Holand'.

Presentaciones non terminate coram Ricardo de la Laund' Iohanne de Meres et Iohanne de la Laund' custodibus pacis in partibus de Holand' in comitatu Lincoln'.

Inquiſicio capta apud Sanctum Botolphum die Mercurii proxima poſt feſtum Concepcionis beate Marie Virginis anno regni regis Ricardi ſecundi poſt conqueſtum xviii^o coram Ricardo de la Laund' et ſociis ſuis domini regis de pace in partibus Holand per xij iuratores ſcilicet . . . qui dicunt . . . quod Willelmus Fythler de Surſlet eſt rebellis . . . Item dicunt quod predictus Willelmus die Iovis proxima ante Purificacionem beate Marie Virginis anno ſupradicto apud Surſlet obſtupavit communem ſeweram de Surſlet ad grave dampnum tocienſ ville de Surſlet.

7. Ancient Indictments File 62 m. 16.

Iohannes Brynſton' prepoſitus foſſate de Weſton' queritur de Thoma Halmere de Spaldyng Simone Malle de eadem et Iohanne Hare de Weſton de eis (*sic*) quod omnes predicti Thomas Simon et Iohannes Hare vi et armis cum canibus die Lune in tertia ſeptimana quadrageſime in nocte anno regni regis Ricardi ſecundi decimo nono in Weſton inſultum fecerunt eidem Iohanni Brynſton' et communem ſeweram de Weſton' obſtipuerunt cum retibus et damſtedes ita quod aqua non poteſt habere curſum ſuum ad mare contra pacem domini regis et ad grave dampnum villatarum de Weſton et Spaldyng.

8. Ancient Indictments File 62 m. 20.

Iohannes de Toft de Spaldyng' et ſocii ſui iurati preſentant quod Thomas Halmere de Spaldyng Simon Malle de Spaldyng Iohannes

Feldow de Weston' Iohannes Hare de Weston' apud Weston' vi et armis quarto die mensis Marcii anno regni regis Ricardi secundi decimo nono et continuo anno precedente cum retibus et aliis ingeniis pro piscibus capiendis nimis artaverunt communem seweram in Weston' vocatam Westonmer' ad grave dampnum tocius communitatis communitatis (*sic*) de Weston et Spaldyng'.

Item presentant quod Iohannes quondam serviens Thome de Cloune de Pyncebek' modo serviens Iohannis Bradhon smyth' de Spaldyng' apud Pyncebek' anno regni regis Ricardi secundi decimo nono duodecimo die mensis Marcii vi et armis abcidit unum fossatum vocatum Lathegrenedyk' in Pyncebek' pro retibus ibidem imponendis et piscibus capiendis ita quod aqua recens intravit in villam de Pyncebek' et submersit unum campum vocatum Penycostfeld' ad grave dampnum tocius communitatis de Pyncebek. . . .

The statement in (3) that after the first pestilence lands were so divided that it was impossible to determine their ownership is at first sight inconsistent with the accepted theory¹ that the main result was the consolidation of estates. But the division was probably an antecedent process to the consolidation.

CVII.

DYKES, BRIDGE AND ROADS NEAR HOLBEACH.

1. Presentment [in Michaelmas term, 1375] by jurors of Elloe that a dyke called the Southhe towards Fleet is too low and ought to be repaired by that township.

2. Presentments as aforesaid that a bridge in Gedney called Normanbrygge is broken and ought to be repaired by that township: that the king's road there called Chalunarlake ought to be repaired by the said township: that the king's road in Fleet close by called Spittillake ought to be repaired by the township of Fleet: and that the king's road in Holbeach and Whaplode called Satirdaydyke and Goldynges ought to be repaired by the said townships.

3. Presentments as aforesaid that John Callowe caused a drain called Hasthevedland, which ought to be common to all the men of Holbeach and Whaplode with horses and carts and on foot, to be his several drain to the hindrance of all passing by: and that he cut a dyke of the sea in Holbeach to the peril of the adjacent land and to the damage of the whole community.

4. Presentment by a jury of Spalding that Guy Bullok of Holbeach, on 1 February, 1396, by force of arms narrowed the common river of Holbeach at Holbeach weir to the damage of the whole community.

¹ Gasquet, *The Great Pestilence*, p. 201.

1. Ancient Indictments File 59 m. 21.

Elowe ij: per iuratores prime inquisitionis.

Iurati de Elowe presentant . . . quod illud fossatum quod vocatur le Southhe versus villatam de Flete est nimis bassum et debet reparari per villatam de Flete.¹

2. Ancient Indictments File 59 m. 44.

Elowe.

Iurati de Elowe dicunt . . . quod quedam pons in Gedney vocata Normanbryg' est fracta et non est reparata ad grave dampnum et debet reparari per villatam de Gedney. Item dicunt quod regia via in villa de Gedney vocata Chalunarlake indiget et debet reparari per villatam de Gedney. Item dicunt quod regia via in Flete iuxta ibidem vocata [Spitillake indiget et debet reparari per villatam de Flete. Item dicunt quod quedam regia via in Holbech' et Quaplade vocata Satirdaydyke et Goldynges indiget et debet reparari per villatas predictas.¹

3. Ancient Indictments File 59 m. 45.

Hundredum de Elowe.

Iurati presentant . . . quod Iohannes Calowe fecit quandam dranam vocatam Hasthevedland separalem, quod (*sic*) debet et solet esse commune ad homines villatarum de Holbeche et Quappelade cum equis carectis et peditibus, ad nocumentum omnium hominum ibidem transeuncium. Item presentant quod idem Iohannes Calowe scindebat quoddam fossatum maris in Holbeche, per quod terre ibidem iuncta (*sic*) sunt in magno periculo ad grave dampnum tocius communitatis hoc anno.

4. Ancient Indictments File 62 m. 20.

Iohannes de Toft de Spaldyng' et socii sui iurati presentant . . . quod Eudo Bullok de Holbech' apud Holbech' primo die mensis Februarii anno regni regis Ricardi secundi decimo nono vi et armis nimis artavit communem ripam de Holbech' apud gurgitem de Holbech' ad grave dampnum tocius communitatis de Holbech'.

¹ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 24d.

CVIII.

BRIDGE AT TETNEY.

Presentment by jurors of Havershoe wapentake [in Michaelmas term, 1375] that a bridge called Ryebrigge between Tetney and North Cotes has been broken for the last four years and ought to be repaired by the latter township.

Ancient Indictments File 59 m. 29.

Hawardeshowe ij : per iuratores prime inquisitionis.

Linc'. Alanus Hatclyve et socii sui presentant quod quidam pons situatus inter villas de Norcotes et Tetenay vocatus Ryebrigge est confRACTUS et defectivus et fuit per quatuor annos ulterius elapsos ad grave nocumentum pretereuncium, quem villata de Northcotes tenetur reparare.

CIX.

ROADS IN AND NEAR LINCOLN.

1. Presentment [in Michaelmas term, 1375] by a jury of Flaxwell and Langoe wapentakes that Thomas Barbour, mayor of Lincoln, and Richard Farbourne and John Bultham, cooper, bailiffs of the said city, caused the king's road in Lincoln called East Bargate leading towards Canwick to be stopped up.

2. Presentment as above before John Cavendych and Thomas de Ingilby, justices, on Tuesday, 16 October, that from time immemorial there had been a common road between Branston and Lincoln within the grange of the prior of St. Katherine without Lincoln, and that the said prior raised a wall and stopped the said road to the damage of the king and the community.

Precept to the sheriff.

On Monday, 5 November, the said prior came before the king at Lincoln by William de Stathern, his attorney, and said that the aforesaid grange is and always was the several soil of him and his predecessors within the walls thereof, and that there was no common road between Branston and Lincoln save at the prior's will, according as the gates of the said grange were left closed or open; and that owing to damages often done by men passing by to his own animals and to those of other persons enclosed therein he built a stone wall there where the gate once was, as he had power to do, without there being a common road there, and he sought the verdict of the country.

On the quinzaine of Easter, 1396, John Walssh, sheriff, returned that the said prior was dead, and a precept issued to cause the appearance of the prior who then was. On Thursday, 27 April, the said prior came by William Waldby and said as his predecessor had said. Edmund Brudenell, suitor

for the king, said that there had been from time immemorial a common road there without that the said road was the several soil of the prior; and he and the said prior sought the verdict of the country. On Wednesday, 3 May, a jury came and said that it was as the prior had alleged and that there was no common road there. The court, however, was not yet fully advised.

1. Ancient Indictments File 59 m. 33.

Flaxwell' et Langehogh' : per iuratores prime inquisitionis.

Iohannes Cokhevy de Marton' et socii sui presentant . . . quod Thomas Barbour maior civitatis Lincoln' Ricardus Farbourne et Iohannes Bultham coupere ballivi predictae civitatis faciunt obstupare regiam viam in Lincoln' vocatam Estbarreyate que ducit versus Canewyk' ad grave nocumentum tocius civitatis et patrie.¹

2. Ancient Indictments File 59 m. 55.

Wapentachium de Flaxwell et Langhou.

Inquisicio capta apud Lincoln' coram domino Iohanne Cavendych' et domino Thoma de Ingilby iusticiariis domini regis die Iovis proxima post festum sancti Dionisii episcopi anno regni regis Edwardi tereii post conquestum quadagesimo nono per sacramentum duodecim proborum et legalium hominum iuratorum videlicet per sacramentum² . . . qui dicunt . . . quod a tempore quo non exstat memoria hominum solebat esse communis via eundo et redeundo a villa de Braunston' usque civitatem Lincoln' infra grangiam prioris Sancte Katerine extra Lincoln' apud Canewyk' et predictus prior levavit quemdam murum per quem dicta via obstupatur ad magnum nocumentum domini regis et communitalis.

Coram Rege Roll, Mich., 49 Edward III. rex 18d.

. . . Per quod preceptum fuit vicecomiti quod venire faceret eos.

Et modo scilicet die Lune proxima post festum Omnium Sanctorum coram domino rege apud Lincoln' venit predictus prior per Willelmum de Stathern' attornatum suum et quesitum est ab eo qualiter de premissis sibi impositis se velit acquietare qui dicit quod, quo ad hoc quod presentatum est quod a tempore quo non exstat memoria solebat esse communis via eundo et redeundo a villa de Braunston' usque civitatem Lincoln' infra grangeam predicti prioris etc., dicit quod predicta

¹ Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 22.

² The names of twelve jurors are given.

grangea est et fuit a toto tempore separale solum ipsius prioris et predecessorum suorum infra muros eiusdem grangee et quod nunquam fuit ibi aliqua communis via eundo et redeundo a predicta villa de Braunston' usque civitatem Lincoln' nisi tantum ad voluntatem ipsius prioris et predecessorum suorum videlicet quandocunque portas dicte grangee apertas vel clausas voluerunt dimittere et quia predictus prior plura dampna diversis vicibus ibidem per homines euntes et redeuntes per portas predictas recepit tam de animalibus suis propriis quam alienis ibidem inclusis idem prior quandam murum lapideum ibidem ubi predicta porta constructa fuit fieri fecit prout ei bene licuit absque hoc quod aliqua communis via ibidem esse debet seu solet prout per presentationem predictam supponitur et hoc paratus est verificare per patriam.¹ . . . Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod

Coram Rege Roll, Easter, 19 Richard II. rex 37.

. . . Et modo scilicet a die Pasche in xv dies isto eodem termino coram domino rege nunc apud Lincoln' vicecomes Lincoln' scilicet Iohannes Walssh' retornavit quod predictus prior mortuus est : per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret priorem qui nunc est ad respondendum etc.

Et modo scilicet die Iovis proxima post tres septimanas Pasche coram domino rege apud Lincoln' venit predictus nunc prior per Willelmum Waldeby attornatum suum et allocutus est qualiter de premissis super predictum predecessorem suum presentatis se acquietare velit etc. qui dicit quod, quo ad hoc quod presentatum est quod a tempore quo non extat memoria solebat esse communis via eundo et redeundo a villa de Braunceton' usque civitatem Lincoln' infra grangiam predicti prioris etc., dicit quod predicta grangia est et fuit a toto tempore separale solum ipsius prioris et predecessorum suorum infra muros eiusdem grangie et quod nunquam fuit ibidem aliquis communis via eundo et redeundo a predicta villa de Braunceton' usque civitatem Lincoln' nisi tantum ad voluntatem ipsius prioris et predecessorum suorum videlicet quandocunque portas dicte grangie apertas vel clausas voluerunt dimittere et, quia predictus nuper prior plura dampna diversis vicibus ibidem per homines euntes et redeuntes per portas predictas recepit tam de animalibus suis propriis quam de alienis

¹ Here follows the prior's defence etc. to an indictment that he had appropriated a common of fishery called le Pole and extorted money from certain persons named.

² Unfinished.

ibidem inclusis, predictus nuper prior quendam murum lapideum ubi predicta porta constructa fuit fieri fecit prout ei bene licuit absque hoc quod aliqua communis via ibidem esse debet seu solet prout per presentacionem predictam supponitur et hoc paratus est verificare per patriam etc.¹.

Et Edmundus Brudenell' qui pro domino rege sequitur dicit quod a tempore quo non extat memoria predicta via solebat esse communis via eundo et redeundo etc.¹ . . . absque hoc quod predicta via est separale solum predicti prioris¹ . . . prout predictus nunc prior superius placitando allegavit et hoc paratus est pro domino rege verificare et petit quod inquiratur per patriam: et predictus nunc prior similiter. Ideo veniat inde iurata coram domino rege apud Linc' die Mercurii proxima post mensem Pasche et qui etc. ad recognoscendum etc. Idem dies datus est prefato nunc priori per attornatum suum predictum etc.

Ad quem diem coram domino rege apud Lincoln' venerunt tam predictus Edmundus qui sequitur etc. quam predictus nunc prior per attornatum suum predictum et iuratores similiter venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predicta grangia est et fuit a toto tempore separale solum ipsius prioris et predecessorum suorum infra muros eiusdem grangie et quod nunquam fuit ibidem aliquis communis via eundo seu redeundo a predicta villa de Braunceton' usque civitatem Lincoln' nisi tantum ad voluntatem ipsius nunc prioris et predecessorum suorum prout predictus nunc prior superius placitando allegavit.¹ . . Et quia curia nondum avisatur²

CX.

SEWERS ETC. NEAR BOSTON.

1. Presentment by a jury of the soke of Bolingbroke on Tuesday, 23 October, 1375, before the king at Lincoln that the township of Fishtoft ought to clean a sewer at Hill Dyke, which is stopped up so that the water there cannot take its course, to the oppression of the duke of Lancaster and the country of Holland and Lindsey: also that the townships of Boston and Skirbeck ought to clean a sewer from Hill Dyke to the Witham Stream, having their common in Bolingbroke marsh on that condition, and that the said sewer is not repaired, to the oppression of the country of Holland and Lindsey.

2. Presentment in Michaelmas term, 1375, before the king at Lincoln that the west part of Boston and Skirbeck Quarter, the townships of Wyverton,

¹ Here follows the prior's defence etc. to an indictment that he had appropriated a common of fishery called le Pole and extorted money from certain persons named.

² Unfinished.

Frampton and Kirton ought to repair the Edykes from the Schust to Deyn-bothe, which are not repaired, to the damage of eight hundreds and of the king: also that the middle part of a bridge called Heybrigge at Simon Weir ought to be repaired by the township of Kirton.

Presentment as aforesaid that the said third part of the aforesaid bridge ought to be repaired by the townships of Sutterton and Algarkirk.

3. Presentment before John king of Castile and Leon and duke of Lancaster and other justices of the peace and justices to keep the statutes of Winchester, Northampton and Westminster in the parts of Lindsey, appointed by a commission dated 20 December, 1382, Robert de Haldanby and others being associated with them, at Horncastle, on Wednesday, 26 December, 1383, that a common road called Hill Dyke leading to Boston, which is often flooded by the rising of the water ought to be repaired by the township of Leake: also that Walter Gouke, William Cooke and others made twelve trenches, 30 feet wide and of a great depth, on the bank of the Witham, whereby the water of the said stream floods all the marshes from Withambank to Wainfleet to the damage of the duke of Lancaster, lord of the said marshes, and to the annihilation of his agistments and profits thereof, and to the harm of the whole adjacent country.

1. Ancient Indictments File 59 m. 34.

Bolyngbroke ij: per primos iuratores.

Inquisicio capta coram rege apud Lincoln' die Martis proxima post festum sancti Luce Ewangeliste anno regni regis Edwardi tercii xlix per sacramentum xij iuratorum qui dicunt . . . quod villata de Toft iuxta Sanctum Botolphum tenetur mundare et reparare quamdam sueram apud Hyldyke, que suera obstupata est ita quod aqua ibidem non potest habere debitum cursum in maximam oppressionem domini ducis Lancastrie et totius patrie de Lyndsay et Holandie.¹ Item dicunt quod villata de Sancto Botolpho et villata de Skyrbek' tenentur mundare et servare quamdam seueram ab Hyldyke usque in Wythem streme et pro reparacione dicte seure predictae villate habent suum commune in marisco de Bolyngbroke; et dicunt quod predicta seuera non est mundatus (*sic*) nec reparatus in magnam oppressionem communitatis Holandie et Lyndsay.

2. Coram Rege Roll, Mich., 49 Edward III. rex 23 and 23d.

Linc'. Iuratores diversorum wapentagiorum comitatus predicti isto eodem termino coram domino rege apud Linc' presentaverunt quod

¹ The pleadings are enrolled on *Coram Rege Roll*, Mich., 49 Edw. III. rex 46d.: the jurors found that the said township was not liable, and on being further questioned said that the duke of Lancaster was liable as earl of Lincoln, and that he took from every householder who burnt a fire within the wapentake of Skirbeck an annual sum of 2d. for the repair and maintenance of the said sewer.

pars occidentalis de Sancto Botolpho et Seyrbek Quarta villata de Wyverton' villata de Frampton' et villata de Kirketon' deberent reparare et sustentare les Edykes a le Schust usque ad Deynbothe et non reparantur nec sustentantur ad grave dampnum octo hundredorum et domini regis. Item presentaverunt quod est quidam pons qui vocatur Heybrigg apud Symondwere et deberet media pars reparari per villatam de Kirketon' et non reparatur ad grave dampnum tocius patrie.

Iuratores diversorum wapentagiorum [*etc. ut supra*] presentaverunt quod est quidam pons qui vocatur le Heybrigg' apud Simondwere et debet media pars reparari per villatas de Soterton' et Algerkyrk' et non reparatur ad grave dampnum tocius patrie. . . .

3. Ancient Indictments File 63 m. 10.

Placita et presentaciones coram Iohanne rege Castellie et Legionis duce Lancastrie Roberto de Wylughby Radulfo de Crombwell' Iohanne Worth' Willelmo Skipwyth' Willelmo de Skipwyth' seniore Willelmo de Wylughby Willelmo Haule de Burgh' Iohanne Pouch[er] Willelmo de Spaigne Thoma de Thymylby Iohanne Hawe Iohanne Wykes Iohanne de Feriby Willelmo Skipwyth iuniore Roberto de Westmele Willelmo Michell' et Thoma de Brunham iusticiariis domini regis ad pacem eiusdem domini regis conservandam necnon ad statuta eiusdem regis apud Wyntoniam Norhampton' et Westmonasterium edita conservanda etc. in partibus de Lyndesey in comitatu Lincoln' assignatis per commissionem dicti domini regis cuius datum est apud Westmonasterium xx^o die Decembris anno regni eiusdem domini regis Anglie et Francie sexto ac Roberto de Haldanby Iohanne de Coton Roberto Wythornwyk iusticiariis per associacionem virtute brevium dicti domini regis.

Bolyngbroke. Inquisicio capta apud Horneastre' die Mercurii in crastino Nativitatis beate Marie virginis anno regni regis Ricardi secundi septimo coram iusticiariis domini regis de pace per sacramentum Hugonis Tomson de Hareby¹ . . . iuratorum [qui] dicunt quod ubi quedam communis via vocata Hildyk que ducit apud Boston' deberet reparari et mundari per villam de Leek et modo non mundatur ita quod dicta via tempore cretine aque multociens ad magnum dampnum tocius communitatis inundatur. . . .

Transgressio. Item dicunt quod Walterus Gouke Willelmus Cook' cum aliis iniuste fecerunt xij trencheas de latitudine de xxx pedum et magne profunditatis super ripa de Withome, per quod (*sic*) trencheas

¹ The names of eleven other jurors are given.

cursus aque de Withom intrat et submergit omnes mansiones (sic) a Withem bank usque Waynlet in tam grande dampnum et preiudicium domini ducis Lancastrie domini mariscorum predictorum, per quod agistamenta et proficua dicti domini deteriorantur et quod adnichilantur ad dampnum et nocumentum tocius patrie adiacentis.*

Hill Dyke is now the name of a hamlet on the northern boundary of the parish of Fishtoft, but was probably at this time a raised road running along the north-western boundaries of Leake, Benington, Butterwick, Freiston, and Fishtoft. The interest of the duchy of Lancaster in the Fens on account of the soke of Bolingbroke was so great that in 1548 an elaborate code of Fen laws was drawn up at a duchy court and was maintained from time to time until the later systematic enclosure of the Fens.¹ Simon weir is not marked in the Ordnance Survey, but is two or three miles south-west of Kirton church.²

CXI.

ROADS, BRIDGES AND WATERCOURSE NEAR GLENTHAM.

1. Mandate to enquire whether the king's road in Fillingham leading to the abbot of Revesby's grange is destroyed by a dyke raised by Adam de Erdyngham of Rokley in 21 Edw. III.

2. Presentment in Michaelmas term, 1375, at Lincoln that the bridges called Bishop Bridges between the towns of Kingerby and Glentham are broken and ought to be repaired by the said townships.

Precept to the sheriff.

On Saturday, 17 November, the men of the said townships came in person before the king at Lincoln.

3. Verdict of a jury of Lawress wapentake given before John de Rechford, sheriff, at Spital on the Street on Wednesday, 9 October, 1392, that John Joye of Stainton-with-Waddingham made a pool on the common road of Waddingham and Snitterby to the hurt of the country and of the aforesaid towns.

4. Verdict of a jury of Walshcroft wapentake before Henry de Riddeford, knight, sheriff, at Caistor on Saturday, 26 April, 1393, that a common watercourse at Owersby called Wrangbek was stoped up by Thomas de Grene, who ought to repair it, and who was amerced one shilling.

1. Ancient Indictments File 59 m. 37.

Pons.

Inquiratur pro domino rege si quedam via regalis in Fillyngham, que ducit ab eadem villa usque grangeam abbatis de Revesby, destruat

¹ Thompson, *History of Boston*, p. 642.

² Kelly's *Directory of Lincolnshire*, under Kirton.

per quoddam fossatum levatum per Adam de Erdyngham de Rokley, per quod via predicta omnino adnichilatur ad nocumentum omnium tenencium ville predictæ et aliorum ibidem transeuncium: quod quidem fossatum levatum fuit anno xxj regis nunc.

2. Coram Rege Roll, Mich., 49 Edward III. rex 46d.

Linc'. Iuratores diversorum wapentagiorum comitatus predicti isto eodem termino coram domino rege apud Linc' presentaverunt quod pontes qui vocantur Bisshopesbrigges situati inter villas de Kynewardeby et Glenthām sunt defectivi et confracti, quos villate de Kynewardby et Glenthām tenentur reparare.

Per quod preceptum fuit vicecomiti quod venire faceret prefatas villatas ad respondendum etc.

Et modo scilicet die Sabbati proxima post festum sancti Martini isto eodem termino coram domino rege apud Linc' venerunt homines villatarum predictarum in propriis personis suis et quesitum est ab eis si quid pro se habeant vel dicere sciant quare pontes predictos reparare non debent sicut super ipsos presentatum est: dicunt¹

3. Ancient Indictments File 60 m. 74.

Wappentagium de Laur'.

Inquisicio campta (*sic*) apud Hospitale super Stratum coram Iohanne de Recheford' vicecomite Lincoln' die Mereurii in festo sancti Dionisii anno regni regis Ricardi secundi post conquestum xvj^{mo} per sacramentum Iohannis Nevell'² . . . qui dicunt . . . quod Iohannes Ioye de Staynton' Wadyngham fecit unum lacum in communi via de Wadyngham et Snyturby ad grave nocumentum patrie et predictarum villarum. Ideo etc.

4. Ancient Indictments File 60 m. 67.

Walscroft.

Inquisicio capta apud Castr' coram Henrico de Riddeford chivaler vicecomite Lincoln' in turno suo die Sabbati proxima post festum sancti Georgii martiris anno regni regis Ricardi secundi sexto decimo per sacramentum Willelmi Marshall' de Teleby³ . . . qui . . . presentant quod quidam communis cursus aque apud Ouresby vocatus Wrangbek obstupatur per Thomam de Grene et dictus Thomas⁴ tenetur reparare predictum cursum et non reparatur. Ideo in misericordia.

¹ The entry is incomplete. ² The names of eleven other jurors are given.

³ The names of twelve other jurors are given.

⁴ In the roll *xiijd.* is written above this word.

The abbot of Revesby had at an earlier date been involved in litigation as to the repair of the causey and bridge of Northdike in the soke of Bolingbroke, in the end being exempted from liability thereto.¹

Bishop Bridge is now the head of Ancholme Navigation.

CXII.

SEWERS ETC. NEAR WAINFLEET.

1. Presentment by jurors of Aveland wapentake [in Michaelmas term, 1375] that Walter Mewson of Wainfleet and 77 others named on Thursday, 11 May, 1374, came armed to Wainfleet and entered the several lands of the prior of Kyme and stopped up certain sewers called le Delfet and Stangermal, which drained his lands, so that they were flooded and the said prior lost his profit thereof, and lay in wait for William de Frampton, canon of the said priory, and his servants and threatened them : so that they dared not leave the prior's houses at Thorpe to do the business of the said prior and convent there ; also that, when John Briffen and John Clerk, servants of the said prior, on Thursday, 20 July, 1374, opened and flooded the ditch and the said sewers at Wainfleet, the said Walter and the others came as aforesaid on the following day and again stopped up the said ditch and sewers ; also that Walter and John Mewson, Thomas Daudre and Robert Graa, conspiring together, severally brought divers complaints against the said prior and his servants before William de Spaigne, steward of the duke of Lancaster at Belchford, for opening the said ditch and sewers about 1 August, 1374, insomuch that divine service in the said abbey was delayed and the said abbey lost many of its possessions.

2. Presentment in Easter term, 1396, at Lincoln that the marshes of East and West Fen and divers lands, meadows and pastures in Leake, Wrangle, Friskney and Wainfleet between the waters of Witham and Wainfleet are submerged by the great increase of water so that the men of the said towns and of the soke and wapentake of Bolingbroke have lost their profit therefrom by the defect of a weir in Wainfleet, which is so narrow that the said water cannot flow to the sea, and that the township of Wainfleet ought to repair and always have repaired the said weir, and that the said weir is neither wide nor deep enough for the purpose, and unless another weir be made near it eighteen feet wide, which ought to be constructed by all the said towns, soke and wapentake and all men having common in the said marshes, and which, when constructed, ought to be repaired and kept by the said township of Wainfleet, excepting the provision of timber and iron, until such time as it should become advisable to make it anew, the said marshes and the lands of the said towns, soke and wapentake are altogether lost : and also that a sewer from Hasende of Wainfleet to the said weirs, [where] John duke of Lancaster and the lord of

¹ *Calendar of Patent Rolls, 1327-1330*, p. 337.

Dalby have their fisheries, ought to be cleaned by them by reason of their said fisheries.

Precept to the sheriff.

1. Ancient Indictments File 59 m. 38.

Wappentagium de Avelond ij: per iuratores prime inquisitionis.

Iuratores presentant quod Walterus Mewson' de Waynflete¹ . . . et Robertus Maunselot die Iovis in festo Ascensionis Domini anno regni regis Edwardi tercii post conquestum Anglie quadragesimo octavo venerunt apud Waynflete armati modo guerrino cum loriceis arcubus et sagittis et aliis armaturis ad valenciam quatuor librarum et ibidem in terras separales prioris de Kyma intraverunt et quasdam seweras vocatas le Delfet et Stangermal ad sewandum terras eiusdem prioris ibidem obstupaverunt et obstruxerunt ita quod terre et tenementa eiusdem prioris ibidem inundate fuerunt, per quod idem prior proficuum terrarum et tenementorum totaliter amisit et Willelmum de Frampton' concanonicum ipsius prioris et servientes suos de vita et membris ad ipsos interficiendos minando ibidem insidiaverunt, per quod idem Willelmus de Frampton' et servientes sui de domibus dicti prioris de Thorp' eisdem locis continguis ad proficua prioris et conventus domus predictae facienda pro metu mortis et insidiis predictis exire non audebant contra pacem etc.

Item presentant quod, cum Iohannes Briffen et Iohannes Clerk' servientes dicti prioris die Iovis proxima ante festum sancti Iacobi Apostoli anno regni regis predicti quadragesimo octavo venerunt apud Waynflete et fossatum et seweras predicta deobstupaverunt et [i]nnundaverunt, ibi venerunt predicti Walterus Mewson' et alii eodem modo quo superius declaratum est die Veneris tunc proximo sequente et fossatum et seweras ipsius prioris separalia predicta reobstupaverunt et cum separali solo eiusdem prioris obstruxerunt contra pacem etc.

Item presentant quod Walterus Mewson' Iohannes Mewson' Thomas Daudre et Robertus Graa adinvicem confederati machinantes dictum priorem de Kyma gravare prosecuti fuerunt diversas querelas in curia ducis Lancastrie de Beltesford' coram Willelmo de Spayne senescallo predicti ducis curie predictae ibidem versus dictum priorem et servientes suos, videlicet quilibet eorum implacitando separatim per unam querelam, causa apparicionis et deobstupacionis sewerarum et fossatorum eiusdem prioris separalium predictorum circa festum sancti Petri ad Vincula anno regni regis predicti quadragesimo octavo, et eundem

¹ This name is followed by about 77 others, of which *Robertus Maunselot* is the last.

priorem et servientes suos per districciones et alia americiamenta quousque iidem prior et servientes sui per legem Anglie acquietati fuerunt in tantum prosequerantur quod divinum servicium in abbatia predicta tardabatur et abbatia illa de bonis et rebus suis in multo existerat peiorata etc.¹

2. Coram Rege Roll, Easter, 19 Richard II. rex 27d.

Lincoln'. Iuratores diversorum wapentagiorum comitatus predicti isto eodem termino coram domino rege apud Lincoln' presentaverunt quod marisci de Estfen Westfen et diversa terre prata et pasture in villis de Leek' Wrangyl Fryskenaye et Waynflete inter aquas de Wythom et Waynflete per magnum cretennum aque submersa sunt ita quod omnes homines villatarum predictarum ac de soka et wapentagio de Bolyngbroke commodum et proficuum terrarum pratorum et pasturarum de villis et mariscis predictis totaliter amiserunt ob defectum cuiusdam gurgitis apud Waynflete, que est tam stricta ita quod cursus aque predictae usque ad mare currere non potest; quequidem gurges (*sic*) villata de Waynflete tenetur reparare et emendare et de antiquo tempore de iure reparare consuevit: et dicunt quod gurges de Waynflete predicta non est sufficiens de latitudine nec de profunditate per quam predicta aqua cursum suum ad mare habere potest nisi alia gurges de novo constructa fuerit prope gurgitem predictam; quequidem gurges de latitudine xviii pedum esse indigeret et ad reparacionem illius gurgitis villate de Leek' Wrangyl Fryskenaye et Waynflete una cum soka et wapentagio de Bolyngbroke ac etiam omnes homines habentes communiam pasture in marescis predictis ad construccionem reparacionem et sustentacionem contribuere tenentur et, cum facta fuerit, predicta villata de Waynflete dictam gurgitem tenetur reparare et custodire sumptibus suis propriis quousque de novo facere deberet exceptis maheremio et ferro; et taliter marisci predicti terre prata pasture et communia de villis predictis wapentagii et soke predictae omnino de cetero perdita sunt nisi racionabile remedium inde apponatur: et etiam dicunt quod est quedam seweria ab Hasende de Waynflete usque ad gurgites predictas; Iohannes dux Lancastrie et dominus de Dalby habent piscarias in eadem seweria et pro piscariis predictis de iure tenentur reparare et mundare seweram predictam.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatas villatas ad respondendum etc. Et modo scilicet ²

¹ There are other indictments of the same persons for assaults etc. on the servants of the prior of Kyne.

² The entry is unfinished.

Oldfield¹ quotes from Dugdale's work on embankments an account of an earlier suit between Alan le Toller and William le Toller in which the defendant set out the custom prevalent in North Wainfleet as to the repair of sewers, which was to be regulated by the view and assessment of the commonalty, and that it was also the custom to view the marsh-ditches yearly on the feast of St. Andrew and to present defaults to the court of the earl of Lincoln, who could impose a fine of 1s. 4d.

John Mawson or Mewson was the name of the parliamentary representative of Wainfleet in 1337: he is described as a shipowner.²

CXIII.

CAUSEY AND DITCHES NEAR STAMFORD.

Presentments [in Michaelmas term, 1375] by a jury of Stamford and Ness wapentake that the prior of Newstead by Stamford ought to repair a causey between the bridge of Stamford called Swasbrugge and Uffington field and has not done so: and that the abbess of Winchester ought to repair the ditches on either side of the king's road from Letherpittes in Braceborough to Tithelathes in Greatford, and that by her default therein the road is flooded in times of rain.

Ancient Indictments File 59 m. 51d.

Villa de Staunford'—Nesse.

Xij iurati presentant . . . quod prior de Novo Loco iuxta Staunford' tenetur reparare calcetum inter pontem de Staunford' vocatum Swasbrugge et campum de Uffington' et non reparatur ad maximum dampnum tocius patrie ibidem transeuntis.³

. . . Item presentant quod abbatisa Wyntonie tenetur mundare fossata ex utraque parte vie regie a loco vocato Letherpittes de Brassyngburgh' usque Tithelathes de Griteford' et non sunt mundata, per cuius defectum regia via ibidem tempore pluvie superundatur ad maximum dampnum et nocumentum tocius patrie ibidem transeuntis (sic).⁴

Swasbrugge may be presumed to be a bridge over the river Swash, which runs into the Welland about a mile east of Stamford.

¹ *History of Wainfleet*, p. 85.

² *Ibid.* p. 33.

³ The pleadings are enrolled on *Coram Rege Roll*, Mich., 49 Edw. III. rex 14d. The prior acknowledged his liability and was fined 3s. 4d.

⁴ The pleadings are enrolled on *Coram Rege Roll*, Mich., 49 Edw. III. rex 13d. The abbess said that she was not liable and a jury was to be summoned.

CXIV.

BRIDGE, ROADS, AND SEWER NEAR BRIGG.

1. Presentment [in Michaelmas term, 1375] by jurors of Yarborough wapentake that the bridge of Glanford Bridge is broken by default of Simon Simeon, lord of Kettleby, who holds the toll and lordship of the market there for the repair thereof.

Precept to the sheriff.

On Tuesday, 6 November, the said Simon came before the king at Lincoln in person and said that he was lord of the manor of Kettleby in right of Elizabeth his wife, and held a market at Glanford Bridge every Thursday and a fair from 25 to 28 July every year, as had his wife's ancestors, by reason whereof they had toll and all the appurtenances of a market and fair, without his being liable thereby or for any other cause to repair the said bridge or his taking any profit therefrom. Thomas de Shardelowe, suitor for the king, said that he ought to repair the said bridge by reason of his toll and lordship of the said market: and he and the said Simon sought the verdict of the country. A jury came and said that the aforesaid Simon was not bound by reason of the said market and fair or for any other cause to repair the said bridge, nor were any of his said wife's ancestors so bound; but they said that a former abbot of Thornton, who was born in that town, since there was there only a foot bridge of planks, of his alms and charity, because he was born there, first repaired the bridge with stones, and since then, when the bridge had decayed by the passage of time, it had been repaired by the alms and charity of men of the country: and they said that Ralph Paynel ought to repair the west part of the said bridge, and that John de Keleby was the nearest lord on the north side [of the east end ?] in right of his wife and Ralph de Bracebrigge on the south side of that end of the said bridge, and that the towns of Wrawby with the hamlet of Glanford Bridge, Elsham, Kettleby, Kettleby Thorpe, Cadney and Howsham are the nearest townships and ought to repair the [eastern] half of the said bridge with all the wapentake of Yarborough.

2. Presentment (as above) that the king's road called Barton Street by Thornton Cross is defective by default of the township of Thornton; and that William abbot of Newstead ought to repair a causey between Ulceby Skitter and the Northmylmes of Newsham, which is out of repair.

3. Presentment in Michaelmas term, 1375, at Lincoln that a sewer between Cadney with Howsham on the one side and Somerby and Thorpe on the other from the corner of William de Engham's pastures to Ancholme sewer is defective and ought to be repaired by the townships of Cadney and Howsham.

Precept to the sheriff.

On Tuesday, 17 November, the men of the said townships came in person and acknowledged their liability and said that the bridge was now being repaired, and they were amerced 6s. 8d.

4. Inquisition taken at Spital on the Street before Walter Taylboys, sheriff, on Thursday, 7 April, 1390, by a jury who said that John de Castre, prior, and the convent of Thornholm ought to repair the king's road on the north of Santon Beck, which was not repaired; they were amerced 3s. 4d.

1. Ancient Indictments File 59 m. 56.

Hundredum de Yorburch'.

Ricardus Hamby et socii sui presentant . . . quod pons de Glaunfordebrigg' est fractus et in magna parte defectivus in defectu Simonis Symeon domini de Ketelby qui illum tenetur reparare: pro quo quidem ponte reparando idem Simon tenet et habet tolnetum et dominium mercati de Glaunfordbrigg'.

Coram Rege Roll, Mich., 49 Edward III. rex 27.

. . . Per quod preceptum fuit vicecomiti quod venire faceret eum etc.

Et modo scilicet die Martis proxima post crastinum Animarum isto eodem termino coram domino rege apud Lincoln' venit predictus Simon Symeon in propria persona sua et quesitum est ab eo si quid pro se habeat vel dicere sciat quare pontem predictum ex causis predictis reparare et sustentare non debeat: qui dicit quod ipse est dominus manerii de Ketelby ut de iure Elizabethe uxoris sue, in quo manerio ipse habet mercatum tenendum qualibet septimana per diem Iovis et unam feriam ~~semel~~ per annum videlicet tenendam in festo Sancti Iacobi apostoli per tres dies sequentes et antecessores predictae uxoris sue habuerunt, quarum ratione ipsi habent tolnetum et quicquid ad mercatum et feriam pertinet, absque hoc quod predictus Simon tenetur pontem predictum reparare ratione alicuius tolneti seu aliqua alia quacunque causa vel quod predictus Simon aliquod proficuum ea de causa percipit prout per presentacionem predictam supponitur etc. et hoc paratus est verificare etc. Et Thomas de Shardelowe qui sequitur pro domino rege dicit quod predictus Simon habet et tenet tolnetum et dominium mercati predicti, pro quibus tenetur pontem predictum reparare et hoc pro domino rege offert verificare etc.; et predictus Simon similiter. Ideo fiat inde iurata etc. Iuratores venerunt qui ad hoc electi triati et iurati dicunt super sacramentum suum quod predictus Simon non tenetur ratione mercati et ferie predictorum nec aliqua alia de causa pontem predictum reparare nec aliquis antecessorum uxoris sue predictae tenentes manerii predicti aliquo tempore ratione mercati seu ferie predictorum seu aliqua alia de causa pontem predictum reparaverunt set dicunt quod quidam nuper abbas de Thornton' qui natus fuit in eadem villa, pro eo quod fuit ibidem nisi quidam pons de

plankes ad pedites tantum constructus, ex elemosina sua et in tuitu (*sic*) caritatis pro eo quod natus fuit in eadem villa pontem illum primo de lapidibus reparavit et postea quando predictus pons per processum temporis dirutus erat reparatus fuit per diversos homines patrie ex elemosina sua et caritative: et dicunt quod Radulfus Paynel chivaler modo tenetur reparare occidentalem partem pontis predicti et quod Iohannes de Keleby est propinquior dominus ex parte boriali finis de Glaunfordbrig' ut de iure uxoris sue et quod Radulfus de Bracebrigge est propinquior dominus ex parte australi finis pontis predicti et quod ville de Wrawby cum hameletto quod vocatur Glaunfordbrig' Elsham Ketelby Thorp' iuxta Ketelby Kadenay et Housum sunt propinquiores villate predicto ponti de Glaunfordbrig' et quod omnes villate supradicte una cum toto wappentachio de Yorburch' tenentur reparare et sustentare predictam medietatem pontis supradicti.

2. Ancient Indictments File 59 m. 56.

Hundredum de Yorburch.

Ricardus Hamby et socii sui presentant . . . quod regia via que vocatur Barton Strete iuxta Thornton Cros est defectiva et non reparata prout reparari deberet pro defectu villate de Thornton', que illam reparare tenetur, ad grave nocumentum populi.

Item presentant quod Willelmus abbas de Newhous tenetur reparare calsetum situatum inter Ulseby Skittere et les Northmylnes de Nusum et non reparatur ad grave nocumentum patrie.¹

3. Coram Rege Roll, Mich., 49 Edward III. rex 46d.

Linc'. Iuratores diversorum wapentachiorum comitatus predicti isto eodem termino coram domino rege [apud] Linc' presentaverunt quod quedam sewera est inter villam de Cadnay et Howsom ex una parte et villam de Somerby et Thorp' ex altera parte que se extendit ab angulo pasturarum Willelmi de Ergham chivaler usque seweram de Ankholf', que quidem sewera est valde defectiva, quam villate de Cadenay et Howsom tenentur reparare.

Per quod preceptum fuit vicecomiti quod venire faceret homines villatarum predictarum ad respondendum etc.

Et modo scilicet die Sabbati proxima post festum sancti Martini isto eodem termino coram domino rege apud Linc' venerunt homines villatarum predictarum in propriis personis suis et quesitum est ab eis

¹ In the enrolment on *Coram Rege Roll*, Mich., 49 Edw. III. rex 18, the abbot of Neusom (*sic*) acknowledged his liability and was amerced 5s.

si quid pro se habeant vel dicere sciant quare predictam seweram reparare non debeant sicut superius presentatum est : qui dicunt quod non possunt dedicere quin sewera predicta tempore presentacionis predictae fuit defectiva et quod ipsi seweram predictam reparare tenentur et quod sewera illa modo est in reparando. Ideo villata predicta pro non reparacione predicta in misericordia et affloratur per iusticiarios ad dimidiam marcam. Ideo preceptum est vicecomiti quod non omittat etc. quin distringat predictas villatas per omnes terras etc. ita quod securus sit quod homines villatarum predictarum seweram predictam ad plenum reparent tociens quociens necesse fuerit etc.

4. Ancient Indictments File 60 m. 110.

Manle.

Inquisicio capta apud Hospitale super Stratam coram Waltero Taylboys vicecomite Lincoln' die Iovis in septimana Pasche anno regni regis Ricardi secundi xiiij^{mo} per xij iuratores¹ . . . qui dicunt per sacramentum . . . quod Iohannes de Castr' prior de Thornholm' et conventus eiusdem loci debent reparare viam regiam ex parte australi de le Santon' Bek et non est reparata. Ideo in misericordia xl d.

A grant of the market and fair of Glanford Bridge was made by Henry III. to Ernisius de Neville and his heirs.² The abbot of Thornton, to whom reference is made, is Thomas de Ponte, abbot from 1290 to 1323.³ Ralph Paynel had a fee in Broughton to the north-west of the bridge,⁴ and the family of Bracebridge had lands in Wrawby and elsewhere in the neighbourhood.⁵

CXV.

SNARFORD BRIDGE.

Presentment by a jury of Lawress wapentake [in Michaelmas term, 1375,] that Snarford bridge is broken and ought to be repaired by the township of Welton.

Ancient Indictments File 59 m. 57.

Laurys.

Iuratores hundredi de Laurys presentant . . . quod pons de Snertford' qui dirutus est et confractus ad nocumentum tocius

¹ The names are given.

² *Calendar of Charter Rolls*, i. 214.

³ Dugdale, *Monasticon*, vi. 325.

⁴ *Feudal Aids*, iii. 230.

⁵ *Inq. p.m.* 1 Henry IV. 32.

comitatus et omnium aliorum hominum ibidem equitancium et transeuncium, qui quidem pons (*sic*) villata de Welton' tenetur de iure reparare et sustentare a tempore quo non extat memoria.

CXVI.

DYKE AND BRIDGE NEAR TORKSEY.

1. Presentment by a jury of Lincoln [in Michaelmas term, 1375] that a dyke called Foss Dyke extending from the king's water of Trent at Torksey to Lincoln was once open and full of water so that ships from Nottingham and York and Kingston on Hull and elsewhere with victuals and other merchandise could come thereby from the Trent to Lincoln and thence to Boston to the amendment of the king's city of Lincoln and the adjacent country and is now stopped for lack of repair and cleaning, and that the prior and township of Torksey, the prioress of Foss, John bishop of Lincoln, Gilbert earl of Angus and his tenants, Ralph Daubenay knight and his tenants, the abbot of Newstead, the tenants of the lands of Gilbert de Brydesdale and Hugh de Normanton in Saxilby, lady Katherine de Swynford of Lincolnshire, John Bret of Thorney of Nottinghamshire, Ralph Paynell knight and all and singular other lords of adjacent towns whose lordships abut on the said dyke ought to and were wont to clean, empty and repair the said dyke according to an old-established rate, and that the said stoppage has continued for thirty years to the damage of the king, the country and the said city of £1000.

2. Presentment in Easter term, 1351, before the king at Lincoln that the south part of Fossebrigge by Torksey is destroyed and ought to be repaired by the township of Fenton.

Precept to the sheriff.

On the octaves of Michaelmas, 1379, the men of the said township came before the king at Westminster by William de Stathern, their attorney, and acknowledged their liability and were amerced 5s.

1. Ancient Indictments File 59 m. 3.

Lincoln'.

Iuratores dicunt super sacramentum suum . . . quod quoddam fossatum vocatum Fossedyk', quod se extendit ab aqua regia de Trent' apud Torkeseye et se ducit versus civitatem Lyncoln', quondam fuit apertum et plenum aque ita quod naves et batelli quorumcumque de Nottingham et Ebor' et Kyngeston' super Hull' et aliis diversis comitatibus et locis cum victualibus et aliis venalibus ab aqua de Trent' et a locis predictis per dictam aquam de Trent et per dictum fossatum usque Lincoln' et a Lincoln' usque villam de Sancto Botolpho venire transire et redire solebant ad emendacionem civitatis domini regis predictae et commodum omnium mercatorum peribi transeuncium

et tocius patrie adiacentis et modo obstupatum est pro defectu reparacionis et mundacionis eiusdem; et dicunt quod prior de Torkeseye et villata de Torkeseye cum membris priorissa de Fosse Iohannes episcopus Lincolniensis Gilbertus comes Dangos et tenentes sui Radulfus Daubenay chivaler et tenentes sui abbas de Neusum¹ tenentes terrarum Gilberti de Brydeshale tenentes terrarum Hugonis de Normanton' in Saxelby domina Katerina de Swynford' de comitatu Lincoln' Iohannes Bret de Thornhagh' de comitatu Not' Radulfus Paynell' chivaler et omnes alii domini villarum adiacencium ex utraque parte fossati predicti et eorum antecessores quorum dominia super fossatum predictum abuttant vel eidem adiacent et quilibet contra dominium suum secundum ratam positam antiquitus mundare evacuare et reparare fossatum predictum solebant et tenentur; et dicunt quod obstipacio fossati predicti extitit per xxx annos elapsos et amplius ad dampnum domini regis patrie et civitatis predictae mille librarum unde petunt oportunitate et celere remedium pro communi comodo populi patrie et civitatis predictae.²

2. Coram Rege Roll, Mich., 3 Richard II. rex 19d.

Lincoln'. Iuratores diversorum wappentagiorum comitatus predicti alias scilicet termino Pasche anno regni domini Edwardi nuper regis Anglie avi domini regis nunc vicesimo tercio coram ipso avo apud Lincoln' presentaverunt quod pars australis de Fossebrigg' iuxta Torkeseye est dirutus et debet reparari per villatam de Fenton'.

Per quod preceptum fuit vicecomiti quod venire faceret prefatam villatam ad respondendum etc.

Et modo scilicet in octabis sancti Michaelis isto eodem termino coram domino rege apud Westmonasterium venerunt homines predictae villate per Willelmum de Stathern' attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare partem australem pontis predicti reparare non debeant sicut super ipsos presentatum est: qui quidem homines villate predictae dicunt quod non possunt dedicere quin ipsi predictam partem australem predicti [pontis] reparare tenentur sicut super ipsos presentatum est et quod tempore presentationis predictae predicta pars pontis predicti diruta fuit prout superius presentatum est et quod ipsi parati sunt predictam partem eiusdem pontis reparare tocians quociens necesse fuerit etc. Ideo homines villate predictae in misericordia pro non reparacione etc. et afforatur

¹ In the *Coram Rege* enrolment the name of John Fauvell' has been added in later ink after that of the abbot of Newsom.

² Cf. *Coram Rege Roll*, Mich., 49 Edw. III. rex 17.

per iusticiarios ad v solidos. Et preceptum est vicecomiti quod non omittat etc. quin distringat homines villate predictae per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predicta pars pontis predicti repararetur tocians quociens necesse fuerit etc. ad custus hominum villate predictae etc.

The Foss Dyke was originally dug by Henry I.¹ and Torksey is situated at its point of juncture with the Trent. It is now part of the Bedford Level system and carries vessels of 5 feet draught.

CXVII.

WEIR NEAR SCOTTER.

Presentment in Michaelmas term, 1375, that the abbot of Peterborough has a weir called Fiss . . . at Scotter on the east side of the Trent where he set piles and stakes lower than he ought in two 'roumes' containing thirty-two feet, and set no beacon or 'wyte' there, so that passing ships have no notice thereof, and so has done for four years past.

In Easter term, 1377, the said abbot came before the king at Westminster and said that the aforesaid piles and stakes were set as was presented by Nicholas Knyght his servant, but were now overthrown and torn out. The abbot went without a day by reason of a pardon subsequent to the said trespass.

Coram Rege Roll, Hil., 50 Edward III. rex 23d.

Linc'. Iuratores diversorum wapentachiorum comitatus predicti alias scilicet termino Sancti Michaelis anno regni regis nunc Anglie quadragesimo nono presentaverunt quod abbas de Burgo sancti Petri habet unum were vocatum Fiss . . . apud Scotter in aqua de Trent ex orientali parte aque predictae, in quo quidem were idem abbas ponit pilos et palos inferius in aquam predictam per ij roumes qui continent xxxij pedes quam deberet et nullum signum vocatum beken vel wyte super pilos et palos ibidem, per quod naves transeuntes ibidem noticiam dictorum pilorum habere non possunt ad magnum periculum hominum per naves ibidem transeuncium et sic usus fuit predictum (*sic*) were per quatuor annos ultimo preteritos.

Postea scilicet termino Pasche anno regni regis nunc Anglie quadragesimo primo coram domino rege apud Westmonasterium venit predictus abbas per attornatum suum et allocutus est qualiter de premissis sibi impositis se velit acquietare; qui quidem abbas dicit quod non potest dedicere quin ipse pilos et palos per duos roumes in aqua

¹ *Longmans' Gazetteer*, s.v. Foss Dyke.

predicta posuit ad magnum periculum hominum per naves ibidem transeuncium, quicquid pili et pali positi fuerunt per Nicholaum Knyght servientem suum, qui iam prostrati sunt et evulsi. Ideo preceptum est vicecomiti quod distringat predictum abbatem per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod predictus abbas pilos et palos predictos de aqua predicta irradicat (*sic*) et amoveat etc. Et quia transgressio predicta facta fuit ante perdonationem domini regis etc. ideo ipse eat inde sine die.

CXVIII.

TOLL AT KYME.

Presentment in Michaelmas term, 1375, that Gilbert Dumframville, earl of Angus, took toll for twelve years past at Holmemyln dyke in Kyme by his servants of merchandise coming in boats from Boston to Kesteven for the sustenance of men there dwelling, having no right so to do by charter or otherwise, taking £20 from John son of William and others.

Precept to the sheriff.

On the octave of Trinity, 1376, the said earl came before the king at Westminster by John de Bulcote, his attorney, and said that he showed the king that there was a passage by water across his manor of Kyme, called Kyme Eau, between Dog Dyke and Brent Fen as far as the Witham, called Holmemylnedyke in the presentment, very suitable for ships and boats of those parts, the channel whereof was so grown with mud and sedge as to be impassable, and the banks whereof were so broken that passage was impossible after rain had raised the water, and insomuch as he was ready to make the necessary repairs and to keep the said channel and banks in repair at the expense of him and his heirs to the advantage of the men of those parts, the king, finding by inquisition returned into chancery that it was not to the damage of him or any one else, both in reward for the said earl's good office and in promotion of the common weal, granted him by letters patent, dated 26 December 1342, which the said earl produced in court, for the expenses thereby incurred, the following customs on ships passing through his said manor, namely 4*d.* on every sack of wool, 2*d.* on every pocket of wool, 4*d.* on every tun of wine, 2*d.* on every pipe of wine, 1*d.* on every four quarters of corn, $\frac{1}{2}$ *d.* on every thousand of herring, $\frac{1}{4}$ *d.* on every ship carrying cattle worth over 6*s.* 8*d.* and $\frac{1}{4}$ *d.* on every additional sum of 6*s.* 8*d.* and $\frac{1}{4}$ *d.* on every 5*s.* for ships carrying aught else.

Coram Rege Roll, Trin., 50 Edward III. rex 15.

Linc'. Iuratores diversorum wapentachiorum comitatus predicti alias scilicet termino sancti Michaelis anno regni regis nunc Anglie quadragesimo nono coram domino rege apud Linc' presentaverunt quod

Gilbertus Dumframvill' comes Dangos per duodecim annos ultimo elapsos in Holmemyndyk' apud Kyme per homines et servientes suos cepit theolonum de omnibus rebus emptis venientibus in batellis de Botelston' usque Kesteven' pro victu et sustentatione hominum ibidem commorantium, ubi idem comes theoloneum per cartam domini regis vel aliquo alio modo habere non deberet, et sic cepit de diversis hominibus videlicet Iohanne filio Willelmi et aliis viginti libras per extorsionem ibidem per tempus predictum.

Per quod preceptum fuit vicecomiti quod venire faceret prefatum comitem ad respondendum etc.

Et modo scilicet in octabis sancte Trinitatis isto eodem termino coram domino rege apud Westmonasterium venit predictus comes per Thomam de Bulcote attornatum suum et allocutus est qualiter de premissis sibi impositis velit se acquietare; dicit quod cum dominus rex nunc ad prosecutionem ipsius comitis, eidem regi supplicantis ut, cum passagium per aquam vocatam le Ee de Kyme, que transit per medium domini dicti comitis manerii sui de Kyme inter Dokdyk' et Brentfen usque aquam de Wythum, que est eadem aqua que in dicta presentatione nominatur Holmemyndyk', ex utraque parte sit pro navibus et batellis dictarum partium plurimum oportunum et in alveo dicte aque lutum et paludes sic excreverunt quod naves tunc per dictam aquam del Ee nisi dictus alveus purgatus fuisset commode transire non potuerunt ac ripe ipsius aque sic sunt dirute et confracte quod aqua per imbres elevata non patebat transitus accomodus per eandem idemque comes dictum alveum mundare et ripas eius elevare et reficere dictumque alveum sic mundatum et dictas ripas sic reparatas et elevatas conservare suis et heredum suorum sumptibus ad commune commodum hominum dictarum parcium desideravit et disposuit, volens idem rex dicto comiti pro misis et expensis quas [ad] mundacionem reparacionem et elevacionem predictas tunc et infuturum ipsum et heredes suos facere oportebit custumas concedere subscriptas sibi et heredibus suis inperpetuo percipiendas videlicet de quolibet sacco lane quatuor denarios de quolibet pokeito lane duos denarios de quolibet dolio vini quatuor denarios de qualibet pipa vini duos denarios de quibuslibet quatuor quarteriis bladi unum denarium de quolibet miliari allecis unum quadrantem de qualibet nave carcata de averio ponderis (*sic*) excedentis dimidiam marcam unum quadrantem et de pluri plus iuxta ratam unius quadrantis de valore dimidie marce et de qualibet alia navi sive batello transeunte cum aliis rebus et mercandisis superius non specificatis valoris quinque solidorum unum quadrantem et de pluri plus iuxta ratam unius quadrantis de valore quinque solidorum: et quia per

inquisicionem inde de mandato domini regis factam et in cancellariam ipsius regis retornatum extitit compertum quod non fuit ad dampnum nec preiudicium ipsius regis aut alicuius alterius si ex causa predicta dictas custumas prefato comiti habendo modo quo premittitur concederet idem rex dictusque rex tam consederacione (*sic*) grata prefati comitis, [qui] ei pluries in agendis suis tenuit locum bonum, quam pro comodo rei publice, quod versari conspiciuit idem rex in hac parte, concessit pro se et heredibus suis eidem comiti quod ipse et heredes sui domini manerii predicti de singulis navibus batellis bonis et mercandis predictis per dictam aquam inter dictam aquam de Dokdyk et Brantfen, que est eadem aqua in eadem presentacione contenta, infra dominium manerii predicti transeuntibus custumas predictas percipiant et habeant in forma predicta imperpetuum sine occasione vel impedimento ipsius regis vel heredum suorum iusticiariorum escaetorum vicecomitum aut aliorum ballivorum seu ministrorum ipsius regis quorumcunque ita quod de lanis aut aliis rebus ipsius regis infra dominium predicti comitis aut de lanis bonis seu rebus ipsius regis vel aliorum infra dictam aquam de Wythum custumas aliquas colore presencium non percipiant quoquo modo per literas ipsius regis patentes, quas profert hic in curia sub data et testimonio Edwardi ducis Cornubie et comitis Cestrie filii ipsius regis carissimo custodi (*sic*) Anglie apud Berkhamptede vicesimo sexto die Decembris anno regni ipsius regis Anglie sexto decimo et sui Francie tercio. Unde idem comes non intendit quod dominus rex ipsum contra tenorem literarum predictarum de capcione¹

The letters patent cited are enrolled on Patent Roll, 16 Edw. III., p. 3, m. 4.² and the inquisition is filed with Inquisitions ad quod Damnum, file 263, no. 1.³

CXIX.

WATERCOURSE, BRIDGE AND SEWER NEAR SLEAFORD.

1. Verdict of a jury of Aswardhurn wapentake on Friday, 24 October 1393, before Henry de Ryddesford, knight, sheriff, at Threckingham that John Wadster of Sleaford, who was amerced 3s. 4*d.*, made an unjust course of the common water between Haverholme and Sleaford and flooded the common pasture of Evedon; and that a bridge between Sleaford and Threckingham called Mareham Claybrigge was broken by default of the prior of Semp-
ringham, who was amerced 6s. 8*d.*

¹ The entry is unfinished.

² *Calendar of Patent Rolls*, 1340-1343, p. 576.

³ *List of Inquisitions ad quod Damnum*, p. 389.

2. Verdict of a jury of Flaxwell and Langoe wapentakes at Ancaster before Henry de Riddeford, knight, sheriff, on Tuesday, 15 April 1393, that a sewer called Bilongayget, which was out of repair, ought to be repaired by Giles de Cumpton, who was amerced 6s. 8d.

1. Ancient Indictments File 60 m. 46 and 46d.

Aswardh'.

Inquisicio capta apud Threkyngham die Veneris proxima ante festum sancti Luce Evangeliste anno regni regis Ricardi decimo septimo coram Henrico de Ryddford' milite vicecomite Lincoln' per sacramentum Roberti de Evedon'¹ . . . quid dicunt . . . quod Iohannes Wadster de Sleaford' fecit unam iniustam cursam (*sic*) aque commune (*sic*) inter Haverholm' et Sleaford' et margebat (*sic*) communem pasturam de Evedon' ad grave dampnum domini regis et villate de Evedon'. Ideo in misericordia xl denariorum. In cuius rei testimonium presentibus sigilla sua apposuerunt.

Inquisitores infrascripti item presentant quod quidam pons inter Seelford (*sic*) et Threkyngham vocatus Marrham Claybrygge est fractus et ruinosus in defectu prioris de Sempryngham. Ideo dictus prior in misericordia dimidie marce.

2. Ancient Indictments File 60 m. 59.

Flaxwell et Langowe.

Inquisicio capta apud Ancastr' coram Henrico de Riddeford chivaler vicecomite Lincoln' in turno suo die Martis proxima post clausum Pasche anno regni regis Ricardi secundi xvj^o per sacramentum Iohannis de Wylyngham de Duryngton'² . . . qui dicunt super sacramentum suum . . . quod quedam sewera vocata Bilongayget quam Egidius de Cumpton (vj s. viij d.)³ tenetur reparare et non reparatur. Ideo dictus Egidius in misericordia.

Sempringham was the parent house of the Gilbertine order, to which Haverholme priory belonged.⁴ Mareham Grange, which is in the parish of Burton Pedwardine, belonged to the latter priory, and has given the name of Marcham Lane to the ancient Roman road between Threackingham and Sleaford.⁵ Bilongayget is presumably a 'gote' or small artificial water-course⁶ in Billingham.

¹ The names of eleven other jurors are given.

² The names of twelve other jurors are given.

³ This sum is written in the text above the name it follows.

⁴ Trollope's *Sleaford, Flaxwell, Aswardhurn*, p. 242.

⁵ *Ibid.* pp. 39, 353.

⁶ Wright's *Dialect Dictionary*, s.v. *gote*.

CXX.

ROAD AND BRIDGES IN BINBROOK.

Verdict of a jury of Walscroft wapentake given at Caistor on Thursday, 21 November, 1392, before John de Rechefort, sheriff, that William Hikedon of Otby imparked the king's road at Orford at the West Mills and broke the bridges there in 14 Richard II. and continues his occupation thereof.

Ancient Indictments File 60 m. 72.

Walschecroft.

Inquisicio capta apud Castor' die Iovis proxima post festum sancti Hugonis anno regni regis Ricardi secundi post conquestum sexto decimo coram Iohanne de Rechefort' vicecomite Lincoln' ad turnum suum tentum dicto die per sacramentum Willelmi Marchall' de Teleby¹ . . . qui dicunt . . . quod Willelmus Hikedon' de Otteby imparcavit regiam viam apud Irford' apud les West Milles et pontes fregit ibidem anno regni regis Ricardi secundi xiiij et adhuc occupat ad grave dampnum domini regis et tocius communitatis populi patrie. Ideo in misericordia.

Orford is a hamlet in Binbrook and Otby is a hamlet in Walesby some four miles to the west.

CXXI.

SEWERS NEAR ALFORD.

1. Verdict of a jury of Calceworth wapentake given at Louth on Monday, 22 April, 1392, before John de Richeforth, sheriff, that a gutter between Sutton and Huttoft was defective, each township being amerced one shilling.

2. Presentment in Easter term, 1396, at Lincoln that a sewer called le South Grist between Malberthorpe and Trusthorpe from Axletree Hurn to the sea, whereby all the water of the townships of Withern, Strubby, Woodthorpe, Maltby, Beesby, Hagnaby, Markby, Bilsby, Alford, Well, Saleby, Thores-thorpe, Rigsby and Aby ought to run to the sea to the salvation of the said townships, is stopped up together with the Walegote, and that the said townships have always mended the said sewer and the Walegote aforesaid.

Precept to the sheriff.

On Wednesday, 7 February, 1396-7, the said townships came before the king at Westminster by Stephen del Fall, their attorney, and said severally that they were not bound to repair the said sewer and the said Walegote. Edmund Brudenell, suitor for the king, said that they were bound so to do ;

¹ The names of eleven other jurors are given.

and he and the said townships sought the verdict of the country. A jury was summoned for the quinzaine of Easter.

1. Ancient Indictments File 60 m. 82.

Calswath'.

Inquisicio de Calswath' capta apud Ludam die Lune proxima ante festum sancti Georgii anno regni regis Ricardi secundi xv^{mo} coram Iohanne de Richeforth' vicecomite Lincoln' per sacramentum Thome Serjant de Alford'¹ . . . qui . . . presentant quod quadam guttura inter Sutton (xij d.)² et Hotoft (xij d.) est defectiva ex parte de Hotoft et Sutton'. Ideo utraque villa in misericordia.

2. Coram Rege Roll, Hil., 20 Richard II. rex 16d.

Lincoln'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc decimonono coram domino rege apud Lincoln' presentaverunt quod quedam seweram vocata le South Gryst iacet inter villatas de Malberthorp' et Trusthorp' in Lyndeseye in comitatu Lincoln' et se extendit ab uno loco vocato Axiltrehirn' usque ad mare per quam seweram totus cursus aque villatarum de Wytheryn Strubby Wodethorp' Maltby Besby Haunby Markby Billesby Alford Well' Salby Thoresthorp' Ryggesby Aby de iure currere solebat usque ad mare in salvacionem villatarum predictarum : que quidem seweram simul cum le gote vocato Walegote obstupatur ob defectum emendacionis ad grave nocumentum tocius patrie et quod villate predictae seweram et le Walegote predicta a tempore quo non extat memoria de iure emendaverunt et reparaverunt quandocunque necesse fuerit.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatas villatas ad respondendum etc.

Et modo scilicet die *Mercurii* proxima post festum Purificacionis beate Marie isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate per Stephanum del Fall' attornatum suum et quisitum (*sic*) est ab eis si quid pro se habeant vel dicere sciant quare seweram et le Walegote predicta emendare non debeant ; dicunt separatim quod ipse non tenentur seweram et le Walegote predicta emendare prout super ipsas presentatum est et hoc parate sunt verificare per patriam. Et Edmundus Brudenell qui sequitur pro domino rege dicit quod predictae villate seweram et le Walegote predicta

¹ The names of eleven other jurors are given.

² The sums in brackets are written above the words they follow.

emendare tenentur prout super ipsas presentatum est et hoc pro domino rege offert verificare; et predictæ villate similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xx dies ubicunque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefatis villatis etc.

It is perhaps worth noting that 'inter villatas de Malberthorp' et Trusthorp' does not imply that the sewer ran from one of these towns to the other, but that its course would cross a line drawn between these two places. The South Gryst, in fact, ran eastwards to the sea.

CXXII.

BRIDGE AND DITCHES NEAR CORRINGHAM.

Verdict of a jury of Corringham wapentake at Spital on the Street on Thursday, 5 October, 1391, before John Bussy, sheriff, that Yawthorpe bridges are broken by default of that township, which is amerced 6*d.*: that Thomas de Pilham of Yawthorpe ought to clean a ditch by the king's road, which is stopped up, and he is amerced 6*d.*: and that the ditch on the south of the said road is stopped up by default of William de Pilham, who is amerced 4*d.*

Ancient Indictments File 60 m. 128.

Corryngham.

Inquisicio capta apud Hospitale super Stratam die Iovis proxima post festum sancti Michaelis anno regni regis Ricardi secundi xv^o coram Iohanne Bussy vicecomite Lincoln' per sacramentum Dunstani Steppynges de Yelthorp'¹ . . . iuratorum qui dicunt . . . quod quidam pontes vocati Yolthorp' Brygges fracte (*sic*) et ruinosi sunt in defectu villate de Yolthorp' (vj d.)² Item presentant quod Thomas de Pilham de Yolthorp' debet emundare fossatam iuxta viam regiam et non mundavit etc. quare via regia opstupatur in defectu ipsius Thome (vj d.)² Ideo etc. Item presentant quod fossata ex parte australi vie predictæ obstupatur in defectu Willelmi de Pilham (iiij d.)² Ideo etc.

CXXIII.

ANCHOLME RIVER.

Mandate, dated 2 January, 1394-5, to the justices of sewers between West Rasen and the Humber to send into chancery certain indictments of the abbot of Roche.

¹ The names of eleven other jurors are given.

² The sums in brackets are written above the names they follow.

Return by Gerard de Sotell and Hugh de Mitford, two of the said justices of two inquisitions taken at Glanford Bridge on Tuesday, 21 October, 1393, before themselves, Henry de Retforth, knight, William de Garton and their fellow justices by the oath of jurors, who said that the course of the water of Ancholme, which ought to be 40 feet wide from its head to the Humber, is so narrowed and obstructed by the said abbot that it is only 12 feet wide from Winterton Dyke to Roxby Dyke to the damage of the country.

Precept to summon the said abbot to be before the said justices at Kirton on Saturday, 8 November.

After a postponement, on Saturday, 7 March, 1393-4, the said abbot came by Robert Abbottes, his attorney, and produced the writ annexed to the said inquisitions.¹

Ancient Indictments File 179 m. 105, 106.

Ricardus dei gratia rex Anglie et Francie et dominus Hibernie dilectis et fidelibus suis Philippo Darcy chivaler². . . iusticiariis suis ad wallias fossata gutteras seweras pontes calceta et gurgites inter villam de Westrasyn et aquam de Humbre in comitatu Lincoln' super-videndas et inquirendum de defectibus et dampnis ibidem contingentibus et ad defectus et dampna huiusmodi audienda et terminanda assignatis et eorum cuilibet salutem. Volentes certis de causis omnia indictamenta sive presentationes coram vobis et quolibet vestrum virtute commissionis nostre vobis inde directe habita seu facta unde abbas de Roche indictatus existit coram nobis et non alibi terminari, vobis mandamus sicut alias mandavimus quod omnia huiusmodi indictamenta sive presentationes in ipsum abbatem coram vobis vel aliquo vestrum in hac parte qualitercumque facta cum omnibus ea tangentibus nobis in cancellariam nostram sub sigillis vestris vel alicuius vestrum per aliquem sufficientem de quo confiditis distincte et aperte sine dilacione mittatis et hoc breve, vel causam nobis significetis quare mandato nostro alias vobis inde directo minime paravistis. Teste Edmundo duce Eboraci custode Anglie apud Scroby secundo die Ianuarii anno regni nostri decimo octavo.

Scarle.

Responsio Gerardi de Sotell' et Hugonis de Mitford' iusticiariorum infrascriptorum patet in sedula huic brevi annexa.

Inquisicio capta apud Glaunforthbryg die Martis proxima post festum sancti Luce Ewangeliste anno regni regis Ricardi secundi post conquestum Anglie decimo septimo coram Henrico de Retforth' chivaler

¹ There is an error as to the dates, since the writ produced on 7 March, 1394, should have borne an earlier date, but is in fact the writ of 2 January, 1395, set out at the beginning of this document.

² The names of nine other justices are given.

Gerardo de Sotell' Hugone de Mitford' et Willelmo de Garton et sociis suis iusticiariis domini regis ad walleas [*etc. ut supra*] assignatis per sacramentum Roberti de Kydall' de Horkystow¹ . . . qui dicunt super sacramentum suum quod cursus aque de Ankholm' qui debet esse in latitudine quadraginta pedum a capite usque ad Humbre in tantum artatur et obstruitur per abbatem de Roche quod cursus aque predictæ a loco vocato Wyntertondyke usque Roxbydyke est latitudinis duodecim pedum et non amplius ad dampnum patrie centum librarum.

Item alia inquisicio capta ibidem coram prefatis iusticiariis vestris per sacramentum Iohannis Hawys¹ . . . qui dicunt super sacramentum suum quod cursus aque de Ankholm' que debet esse in latitudine [*etc. ut supra*].

Per quod preceptum est vicecomiti Lincoln' quod venire faciat coram prefatis iusticiariis apud Kyrketon' in Lyndesey die Saboti proxima post festum Omnium Sanctorum prefatum abbatem ad respondendum domino regi de dictis articulis super eum presentatis.

Ad quem diem predictus abbas per Robertum Abbottes attornatum suum comparuit et datus est ei dies apud Kyrketon' in Lyndesey die Saboti proxima ante festum sancti Gregorii pape ad respondendum domino regi de dictis articulis super eum presentatis ad quem diem dictus abbas per predictum attornatum suum coram prefatis iusticiariis comparuit et protulit breve domini regis inquisicionibus predictis annexum.

Omnes predicti iuratores dicunt essiam (*sic*) super sacramentum suum quod predictus abbas et omnes alii per dictas inquisiciones indictati artaverunt et obstruxerunt predictam aquam de Ankholm' ad grave dampnum domini regis et eius patrie.

CXXIV.

RIVER BANKS REPAIRABLE BY THE SOKE OF HORNCastle.

Presentment in Easter term, 1396, at Lincoln that the townships of Horncastle, Mareham on the Hill, Scrivelsby, Wood Enderby, Wilksby, Mareham le Fen, Haltham, Dalderby, Tumby, Coningsby, Thimbleby and the other townships within the soke of Horncastle ought to repair the north bank of the Witham from Denbogh' to Gunnesbyland and have always done so.

Precept to the sheriff.

On Thursday, 8 February, 1396-7, the said townships came before the king at Westminster by William de Waldeby, their attorney, and said that they were not bound to repair the bank as aforesaid and had never done so.

¹ The names of twelve other jurors are given.

Edmund Brudenell, suitor for the king, said that they were so bound ; and he and the said townships sought the verdict of the country. A day was given them on the quinzaine of Easter.

Presentment as aforesaid that the townships of Horncastle, Mareham on the Hill, Mareham le Fen, Low Toynton, High Toynton, Scrivelsby, Wood Enderby, Wilksby and the other townships within the said soke ought to repair the banks of land and moor from Hassokholme in Wild Moor and Deynboythe to the confluence of the Bain and the Witham.

Precept to the sheriff.

On Thursday, 8 February, 1396-7, the said townships came as aforesaid and said that they were not bound to repair the said banks. Edmund Brudenell, suitor for the king, said that they were so bound ; and he and the said townships sought the verdict of the country. A day was given them on the quinzaine of Easter.

Coram Rege Roll, Hil., 20 Richard II. rex 13.

Lincoln'. Iusticiarii diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc xix^o coram domino rege apud Lincoln' presentaverunt quod villate de Hornecastell' Maryng of the Hull' Skriveby Wodenderby Wylseby Marum Holtam Dalderby Gumby (*sic*) Cunnesby Thimmelby una cum omnibus villatis infra socam de Hornecastell' costeram ex parte boriali aque de Wythum reparare emendare et sustentare tenentur a quodam loco vocato Denbogh' usque ad alium locum vocatum Gunnesbyland' et omnes homines villatarum predictarum una cum omnibus aliis villatis infra socam predictam a tempore cuius non extat memoria reparaverunt et sustentaverunt costeram predictam infra bundas predictas.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eas ad respondendum etc.

Et modo scilicet die Iovis proxima post Purificacionem beate Marie isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate per Willelmum Waldeby attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare costeram predictam emendare reparare et sustentare non tenentur sicut superius super ipsas presentatum est : dicunt quod ipse non tenentur reparare emendare seu sustentare costeram predictam infra metas predictas nec aliqua earundem villatarum tenetur reparare emendare seu sustentare costeram predictam infra metas seu divisas predictas nec costeram illam unquam reparaverunt seu sustentaverunt prout per presentacionem predictam pro domino rege superius supponitur. Et hoc petunt quod inquiratur per patriam. Et Edmundus Brudenell qui sequitur pro domino rege dicit quod predictae villate de Hornecastell' et alie tenentur

costeram predictam reparare emendare et sustentare prout superius super ipsas presentatum est et hoc pro domino rege offert verificare et petit quod inquiratur per patriam et predictae villate per attornatum suum predictum similiter. Ideo veniat inde iurata coram domino rege a die Pasche in xv dies ubicumque etc. et qui etc. ad recognoscendum etc. Idem dies datus est prefatis villatis per attornatum.

Lincoln'. Iuratores [*etc. ut supra*] presentaverunt quod villate de Horneastre Maryng Marum Toynnton' Inferior Toynnton' Superior Screllesby Wodenderby Wylkesby et omnes alie villate infra socam de Hornecastell' a tempore quo non exstat memoria solebant emendare ripas terre et more de uno loco vocato Hassokholme in marisco de Wyldemore et a loco vocato Deynboythe usque ad alium locum ubi aqua de Bayn descendit in Wythum: quequidem ripe terre et more per homines villatarum de soca de Hornecastell' predicta reparare (*sic*) et emendare et sustentare debent.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret eas ad respondendum etc.

Et modo scilicet die Iovis [*etc. ut supra*] venerunt predictae villate per Willelmum Waldeby attornatum suum et quesitum est ab eis si quid pro se habeant vel dicere sciant quare ripas et moras predictas reparare emendare et sustentare non tenentur sicut superius super ipsas presentatum est; dieunt quod nunquam solebant reparare emendare seu sustentare ripas predictas a predicto loco vocato Hassokholme in marisco de Wyldemore nec a predicto loco vocato Deynboth' usque ad locum ubi predicta aqua de Bayn descendit in Wythum nec ripas illas de iure tenentur reparare emendare seu sustentare prout per presentacionem predictam superius pro domino rege supponitur et hoc petunt quod inquiratur per patriam etc. Et Edmundus Brudenell' qui sequitur pro domino rege dicit quod predictae villate et alie de soca de Hornecastell' predicta ripas predictas reparare emendare et sustentare tenentur prout superius super ipsas presentatum est et hoc pro domino rege offert verificare [*etc. ut supra*].

CXXV.

BRIDGE IN WRAGBY.

Presentment in Easter term, 1396, at Lincoln, that a bridge by Dunbrygysk in Wragby is broken by default of the said township.

Precept to the sheriff.

On Monday, 5 February 1396-7, the said township came before the king at Westminster by Richard Kyrnyngton, their attorney, and acknowledged their default and were amerced 3s. 4d.

Coram Rege Roll, Hil., 20 Richard II. rex 15.

Lincoln'. Iuratores diversorum hundredorum comitatus predicti alias scilicet termino Pasche anno regni regis nunc xix coram domino rege apud *Lincoln'* presentaverunt quod est quedam (*sic*) pons iuxta *Dunbrygsyk* in villa de *Wargby* (*sic*): quiquidem pons est confractus et ruinosus ob defectum reparacionis et emendacionis ad grave nocumentum omnium ibidem transeuncium et quod villata de *Wragby* pontem predictum de iure facere et emendare tenetur.

Per quod preceptum fuit vicecomiti quod non omitteret etc. quin venire faceret prefatam villatam ad respondendum etc.

Et modo scilicet die Lune proxima post festum Purificacionis beate Marie isto eodem termino coram domino rege apud Westmonasterium venerunt predictae villate (*sic*) per Ricardum Kyrnyngton' attornatum suum et quesitum est ab ea si quid pro se habeat vel dicere sciat quare pontem predictum sic confractum et ruinosum reparare et emendare non tenetur sicut superius super ipsam presentatum est, qui dicit quod non potest dedicere quin pontem predictum sic confractum et ruinosum reparare et emendare tenetur. Ideo eadem villata in misericordia et afferatur per iusticiarios ad xl. denarios. Ideo preceptum est vicecomiti comitatus predicti quod non omittat etc. quin distringat prefatam villatam per omnes terras etc. et quod de exitibus etc. ita quod securus sit quod pons ille ad plenum reparetur et emendetur tociens quociens necesse fuerit etc.

APPENDIX

The following cases are too long to be transcribed in full, but they have been abstracted in order to make the collection as complete as possible.

I.

BRIDGE AT CLAYPOLE.

Coram Rege Roll, Trin., 5 Edw. III. m. 173.

This entry covers the face and dorse of four membranes and contains many writs, inquisitions and subsequent proceedings concerning the restoration of a bridge called Oldeebrigge, situated on the confines of Lincolnshire and Notts between Claypole and Balderton. In the reign of Edw. II. a petition was presented by the men of Claypole and the adjacent parts setting forth that when they wished to go from the said town to Newark, they were wont to pass by a certain road leading from Claypole to the said bridge of Oldeebrigge, with their horses, carts etc., and that for lack of repair and maintenance the bridge was broken down and the timber and stone thereof carried away and that the said road was destroyed by inundations of water and for lack of the said bridge had fallen into disuse so that many suffered damage and danger there: that commissioners had been appointed to examine the matter, and after inquiry by jury, ordered that the said bridge and road should be repaired and maintained at the cost of the township of Claypole: that nevertheless the sheriff made a new bridge and road in a different place on land belonging to H. bishop of Lincoln and others of the same parts, to their great damage: wherefore they prayed a remedy to be provided.

Commissioners were appointed to discover whether these things were true and, if they were, to cause the old bridge and road to be restored and maintained and the new bridge and road to be removed.

On the quinzaine of Michaelmas, 1331, the said commissioners came before the king, and the jurors also came and said that the bridge or Oldeybrigg should be built where the ancient bridge crossed the Witham below Claypole at the west end of Claypolsouthengedykes in the direction of the head of a certain road built there, and that the said road from that bridge should run straight to Balderton and thence by a place which is called Claypolgate through Balderton and thence to Newark, and that this place was within 40 feet to the south of the place where the men of Claypole had lately

built a bridge, which the men of Balderton had broken. A day was fixed when the men of Claypole were to be shewn where they were to build the bridge and road at the cost of their township, and the sheriffs of Lincoln and Nottingham were ordered to remove the bridge that had been newly built without delay at the cost of the town of Claypole.

II.

CAUSEY AND BRIDGE NEAR DONINGTON.

Coram Rege Roll, Mich. 5 Edw., III. m. 58.

This is a very long entry of writs and inquisitions and subsequent proceedings relating to the liability of the prior of St. Saviour's hospital at the head of Holland Bridge, by reason of certain messuages, a chapel with its oblations, four bovates of land, a place of meadow, a windmill, a free fishery, a court of his tenants in the town of St. Saviour, a rent in Birthorp and a messuage in Lincoln, to repair the causey of Holland from the said chapel to the Newedyk called le Innome of Donington and thirty bridges thereon, each being ten feet broad and eight feet high, and to clean the ditches on either side. In Trinity term, 1331, thirteen bridges were presented to be out of repair, and a jury held that the prior was liable. This was also the finding of a jury before the justices of sewers in the preceding term. In Michaelmas term the prior came before the king and produced his charters (which are set out at length) and pleaded that the oblations were spiritualities, and that only so much of the other revenues of his house as remained over after the intentions of the various benefactors of the house had been fulfilled and the brethren properly sustained, could be properly devoted to the maintenance of the said causey and bridges. He also produced at the request of the court a charter of confirmation of Richard I. (which is also set out at length). Subsequently in Hilary term, 1334, the prior of Sempringham appeared and shewed that the chapter of his house elected the priors of the said hospital when vacancies occurred, but claimed nothing else in regard to it. The prior of St. Saviour's hospital agreed to stand by the judgment of the court, and after consultation with the adjacent communities of Holland and Kesteven it was held that the said prior should for the next four years pay 40s. at Easter, [32]s. 8d. at Whitsuntide, 20s. 8d. at Midsummer and 40s. on the Feast of the Assumption, and should afterwards pay £5 a year by equal portions at the said dates towards the repair of the said causey and bridges during the summer, and less if less were needed for the aforesaid repairs.

Coram Rege Roll, Mich., 34 Edw. III. rex 25.

In Hilary term, 1350, there was another presentment that the said prior failed to provide an annual sum of £5 for the repair of the said causey and bridges called Holandbrigge. In Easter term, 1360, it was testified

that a new prior had been appointed, his predecessor having been deposed, and in Michaelmas term he came by grand distress (for which he was amerced) and acknowledged the said agreement and produced tallies of payments by him and his predecessor to the surveyors of works at the said causey and bridges, but he claimed that his annual payment should not exceed the aforesaid sum of five pounds. Richard de Friseby, suitor for the king, said that the prior had made default as aforesaid, and a jury was summoned for the quinzaine of Easter, 1361.

Ancient Indictments, File 60, m. 63.

On Tuesday, 28 April, 1394, before John Cobuldik, sheriff, at Ancaster a jury of Aveland found that the said prior ought to repair the bridges of the causey, and he was amerced 3s. 4*d*.

Ancient Indictments, File 60, m. 20.

On Saturday, 20 November, 1395, before John de Skypwyth, sheriff, at Lamppcoteholm, a jury of Kirton found that the said prior ought to repair the causey of Bridge End.

Bridge End causey ran eastward from Bridge End to a point about two miles west of Donington. An entry in the Close Rolls, which is similar in tenor to the first of these entries, is cited by Dugdale.¹ There were also proceedings in chancery in 1321, from which it appears that beyond le Innome of Donington the tenants of the earl of Richmond had to repair the causey.²

III.

RIVER WALL AT GREAT COTES.

Coram Rege Roll, Mich., 18 Edw. III. m. 41.

This is a long entry of a writ of error, a writ of *certiorari*, the return thereto of the record of a suit enrolled in the Common Bench, Easter, 16 Edw. III., rot. 304. of subsequent proceedings in the King's Bench and of letters patent of protection in favour of Thomas de Bernardeston, who had summoned John de Heighling in the Common Bench for failure to repair 4 perches of a river wall in Great Cotes for the preservation of lands there against the floods of the river Humber, whereby two hundred acres of meadow of the said Thomas were flooded between the years 10 and 16 Edw. III.; the said Thomas recovered damages, and the said John was in mercy. Afterwards in the King's Bench the said John asserted that there had been divers errors in the proceedings in the Common Bench, first in that the said Thomas brought a writ of trespass when a writ of *reparare facias* properly lay, secondly in that the justices allowed the issue to be one of law only and not of injury, no answer as to trespass being made, and thirdly in that, whereas issue was taken on the fact that John and his tenants and

¹ *Monasticon*, VI, 969.

² *Calendar of Miscellaneous Inquisitions*, II, 492.

his predecessors in his estate had always repaired the said walls, it was found that the said John had never repaired the said walls, and lastly in that the judgment of the court which held that John ought to repair the walls and that Thomas should recover damages, was not warranted by a writ of trespass. The said Thomas denied error in any of the aforesaid points. The proceedings were stayed *sine die*, after postponements, in the quinzaine of Trinity, 1345, on the production of the aforesaid letters patent of protection in favour of the said Thomas, who was about to journey to Brittany in the company of the earl of Oxford.

The second and fourth of the points of law raised are plainly consequential on the first, the Justices having apparently allowed the procedure to be that proper to follow on a writ of *reparare facias* and proper to the matter of the case, whereas the writ on which the proceedings were taken was in point of fact a writ of trespass. The third objection was apparently directed against an error in pleadings. The earl of Oxford accompanied the earl of Northampton on two of his expeditions to Brittany: the present allusion is to the second.¹

IV.

WATERCOURSES AND ROADS NEAR CROWLAND.

Coram Rege Roll, Hil., 24 Edw. III. m. 34.

This is a long entry of proceedings consequent upon various presentments at Lincoln in Easter term, 1349: (1) that a sewer called Shepeau Currere used to flow out of South Eau from Dowesdale through the precinct and close of Crowland abbey and thence to an old sewer called Oldee, and thence westward beneath the gates and bridge of the Brotherhous to the abbot's pond, and that Henry abbot of Crowland has built a cowhouse over the course of the said water and sewer of Oldee, whereas it formerly ran into the Welland to the advantage of the counties of Cambridge, Lincoln, Northampton, Huntingdon and of all the lands from Tydd St. Mary to Baston and Surfleet, and that it ought to be 20 feet wide, and that the obstruction of the sewer Shepeau was first made by Richard abbot of Crowland and maintained by the present abbot: (2) that the king's road from Spalding to the Brotherhous and thence to Crowland, wide enough for horses, carts and cattle, ought to be repaired and bridges made over the trenches therein between the Brotherhous and Crowland by the abbot and township of Crowland: (3) that the said road is obstructed by dirt placed there by the abbot's servant: (4) that the present abbot has committed a purperture upon the said common road at the head of Crowland and has planted trees there: (5) that a causey across Spaldyngge from Wodelond to Deeping Midfen was broken by night by the said abbot to the hurt of the towns of Spalding and Pinchbeck and that the water of Spaldyngge cannot be saved unless the causey is repaired.

The said abbot and convent and township appeared in Hilary term, 1350, and had a day on the quinzaine of Easter, when they appeared

¹ *Dictionary of National Biography*, under Vere, John de.

by Richard de Fryseby and said (1) that the sewer called Southee was the boundary of the abbey from Asewyktoft to Asendike and thence to other boundaries, and that no common sewer ever ran there, and that the sewer of Oldhee was not a common sewer but was a sewer to drain the precinct of the abbey within the several soil of the abbey, and that the abbot could at his pleasure alter such boundaries: (2) that there was no king's road from the Brotherhous to Crowland except by the river Welland for persons travelling by ships or boats: (3) that there was no obstruction of any road at the Brotherhous: (4) that the land where a purpresture was said to have been made had always belonged to the abbot's church of St. Guthlac: (5) that there is a marsh called Goukeslond within the precincts of the abbey, that the abbot was lord of the manor and town of Crowland, and that certain men had made a causey to the damage of the said marsh and to the ruin of him and his church, where no causey had ever been, and that he had destroyed the causey within his own precincts as was his right. After postponements, on the octave of St. John the Baptist, 1352, a jury came and found on all the presentments in favour of the abbot, convent and township of Crowland, who went without a day.

Coram Rege Roll, Mich., 40 Edw. III. rex 41d.

A presentment of the township of Spalding before Gilbert Dumframvill, earl of Angus, and his fellow justices of oyer and terminer, for failure to clean and repair the river Welland between the house of William atte Touneshende of Spalding and the Brotherhouse, came before the king in Michaelmas term, 1366. The township said that the aforesaid river was an arm of the sea and that there were two tides by day and night, and they were therefore not bound to repair it. After postponements a jury came on Monday after the quinzaine of St. Martin, 1375, and said that the township of Spalding were not bound to repair the said river, which was tidal, as aforesaid, and was so filled with sand at every tide that it could not be cleaned; and the township went without a day.

**Coram Rege Roll, Mich., 49 Edw. III. rex 10: Ancient Indictments,
File 59 m. 47d.**

In Michaelmas term, 1375, it was presented (1) that the abbot and township of Crowland ought to repair a length of 60 feet of roadway from the north of the Brotherhouse to a certain stone cross and thence to Crowland 40 feet in width: (2) that the said abbot obstructed the said road with trenches and trees: (3) that he ought to repair a causey to the north of Catebrigge. As to (1) the said abbot and township pleaded the judgment in their favour on the presentment made in Easter term, 23 Edw. III. As to (2) the abbot set out the bounds of his abbey at length and said that there was no road at the place named which was within those bounds. As to (3) he denied his liability. Thomas de Shardelowe said that it was as was presented in all three cases. Afterwards a writ of *supersedeas* was

issued on 3 November to John Cavendish and Henry de Ingelby, justices of the King's Bench, and enrolled in the *Panellum de Secretis*, wherein it was alleged that the said abbot had caused himself to be indicted by fraud and collusion in respect of (1), and on the finding of a jury that the abbot had so caused himself to be indicted a further writ of *supersedeas* was issued on 3 February, 1 Ric. II.

Ancient Indictments, File 59 m. 18.

Presentment in the same term by a jury of Spalding that William Houghtred of Crowland obstructed a road there which was common to the commoners having meadows in le Tounemedwys with a fence on Thursday, June 7, and permitted none to pass save on payment of one halfpenny, and so they took 10s. between that date and 1 November, taking 1d. from William Roger, William Kygel and many others.

Ancient Indictments, File 59 m. 44.

Presentment in the same term by a jury of Elloe that William Outrede of Crowland stopped a footpath from Crowland to le Clote with a hedge of thorns and a ditch to the damage of the said town.

The topography of these entries is difficult, largely on account of the changes made by virtue of the decrees of the Bedford Level and other Fen commissioners. The difficulty in the first document lies in the words 'the close and precinct of the abbey,' as all the places named lie some way to the northward and eastward of the abbey and suggest a sewer running from Dowsdale, which lies to the east, to Brotherhouse to the north of the abbey and not touching its immediate vicinity.

In the third document the stone cross was probably situated at St. Guthlac's Cross House, which is to the south-east of the Brotherhouse. The reference to enrolment on the *Panellum de Secretis* may possibly refer to the Controlment Roll. The account of this abbey in Dugdale¹ points to a continuous controversy in this neighbourhood as to rights and obligations in respect of the fens.

¹ *Monasticon*, Vol. II, pp. 101 and 103.

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